



**Public Health**  
Prevent. Promote. Protect.

## **Statewide Missouri Stay at Home Order:**

### **Essential Businesses, Functions, Exemptions, & Enforcement Notice**

By enacting the Governor's Stay at Home Order and incorporating the U.S. Department of Homeland Security guidelines for Essential Services, Businesses, Functions, and Exemptions, and other county Stay at Home orders, it is the express intent to ensure that the maximum number of people stay at home to slow the spread of COVID-19 within Audrain County while enabling essential services to continue. All provisions of this notice shall be interpreted to effectuate this intent.

#### **Cessation of Non-Essential Business and Operations**

Stay at home or place of residence. All individuals currently living within Audrain County are ordered to stay at home or at their place of residence except as allowed by the Governor's Stay at Home Order.

All persons may leave their homes or place of residence or if visiting Audrain 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 residence, they must at all times, and as much as reasonably possible, adhere to Social Distancing Requirements.

Individuals experiencing homelessness are exempt from the Stay at Home Order 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.

#### **Non-Essential Businesses**

Non-essential business and operations must cease. All businesses and operations within Audrain County, except Essential Businesses and Operations, 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 and serve food for onsite 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 the Governor's 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 recommendations.

## **Prohibited Activities**

No business or person may operate or engage in a Prohibited Activity. 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 the Order. Any intentional gathering of more than ten (10) people in a single space or room is prohibited. Nothing in the Order prohibits the gathering of members of a household or residence of individuals who reside in such residence.

All places of public amusement, whether indoors or outdoors, including but not limited to, locations with amusement rides, carnivals, amusement parks, water parks, museums, arcades, fairs, children's play centers, playgrounds (including children's play structures in public or private parks), funplexes, bowling alleys, movie and other theaters, concert and music halls, golf clubs (with the narrow exceptions of playing golf where there is no shared equipment by the participants and driving ranges where Social Distancing recommendations are strictly followed and enforced), social clubs, and athletic clubs shall be closed to the public. All public parks and open outdoor recreation areas are encouraged to close. Because playgrounds may increase the spread of COVID-19, all indoor and outdoor playgrounds shall be closed with appropriate notices posted.

## **Leaving Home for Essential Activities**

Leaving the home for Essential Activities is permitted. For purposes of the Governor's Stay at Home Order, individuals may leave their residence for Essential Travel only to perform Essential Activities, as defined below, which are specifically 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. When engaging in any outdoor activity, individuals must comply with Social Distancing recommendations.

Public transit shall be used only for purposes of performing Essential Activities or to travel to and from work to operate Essential Businesses, Healthcare Operations, or to maintain Essential Governmental Functions or Minimum Basic Operations. People riding on public transit must comply with Social Distancing recommendations.

The Governor's Order allows travel into or out of Audrain County to perform Essential Activities, operate Essential Businesses, or maintain Essential Governmental Functions or Minimum Basic Operations.

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 the Governor's Order.

## **Exemptions**

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, first responders, emergency management personnel, emergency dispatchers, court personnel, law enforcement personnel; and people designated by the applicable governing authority as necessary in the performance of Essential Government Functions are exempt from the Stay at Home Order to the extent such people are performing these functions.

Access to Essential Governmental Functions. Nothing in the Stay at Home Order shall prohibit any individual from performing or accessing Essential Governmental Functions.

## Definitions

For purposes of executing the Governor's Stay at Home Order, these terms, regardless of whether capitalized, are defined as follows:

- A. "Business" or "businesses" means 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.
- C. "County" means Audrain County, Missouri.
- D. "Disqualified Businesses" means any Essential Business that is disqualified from being an Essential Business, by order of the Audrain County Health Department Administrator, who also serves as the Audrain County Public Health Officer/Authority, or by judicial decree or court order.
- E. "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 or medication, visiting a health care professional, obtaining supplies needed to work from home, or laundering clothing;
  - 2. Obtain Necessary Services or Supplies for themselves and their family, household members, or pets, or to deliver Necessary Services or Supplies to others.
  - 3. Engage in Essential Travel.
  - 4. 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).
  - 5. Engage in services or perform work necessary to operate or maintain Essential Critical Infrastructure.
  - 6. Engage in outdoor activity (including walking or jogging) to the extent reasonably consistent with Social Distancing recommendations (including, for example, walking outdoors six feet away from another person).
  - 7. Acts consisting of providing Essential Products and Services to a Residence, an Essential Business, or to a business in order for that business to maintain Minimum Basic Operations.
  - 8. 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 recommendations to the extent consistent with applicable safety guidelines;
  - 9. 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.
  - 10. Care for a family member in another household.

11. Engage in Essential Government Functions.
  12. Engage in Healthcare Operations.
  13. Engage in Essential Businesses.
  14. 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 person.
  15. Acts consisting of providing Essential Products and Services to the federal government, the state government, or other political subdivision of the state of Missouri.
  16. Act or perform tasks approved pursuant to an order of the Audrain County Health Officer.
- F. "Essential Businesses" means, with the exception of Disqualified Businesses, the following:
1. Healthcare Operations.
  2. Essential Critical 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 ( e.g., 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; however, no dine in service is permitted;
  5. Businesses that engage in food cultivation, including farming, livestock, and fishing.
  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 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, and related facilities.
  10. Banks, financial institutions, broker-dealers, asset managers, businesses that process payroll for any other business, and businesses that process financial transactions and services.
  11. Trash collection and disposal.
  12. Hardware stores.
  13. Inns, hotels, motels, and bed and breakfast establishments; however, dine-in service at on-site restaurants and bars is not permitted.

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 Critical Infrastructure, Essential Government Services, Essential Activities, or other Essential Businesses.
15. Businesses that perform construction or landscaping services.
16. Businesses providing 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 contained campus (MMA) or distance learning, provided that Social Distancing recommendations 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 recommendations and gathering size limitations (less than 10 individuals).
22. Storage for Essential Businesses.
23. Restaurants and other facilities that prepare or serve food; however, only drive-through, pickup, or delivery service of such food is permitted, and Social Distancing recommendations must be met (i.e., no dine-in service is allowed).
24. Businesses that provide emergency repair and safety services for Essential Critical Infrastructure.
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, 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 recommendations, 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 recommendations;
30. Businesses that provide personal and transportation services including airlines, 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 notice.

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, when necessary to assist in compliance with legally mandated activities or to assist a person in the exercise of 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;
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. 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 in Essential Businesses provided that these checks should be done by telephone or remotely where possible.
39. Professional services, such as legal or accounting services, when related to the necessary activities of Essential Businesses.
40. Businesses that provide real estate transactions and services.
41. Adult detention facilities and juvenile justice facilities or similar operations.
42. Businesses or independent providers that provide childcare or other dependent services but only to the extent that they provide services to people who are necessary employees of Essential Businesses, and including specifically without limitation Healthcare Operations, police departments, fire districts, jails, corrections medicine services, emergency management functions, food distribution companies, groceries, restaurants, pharmacies, public transit agencies, or businesses that manufacture or supply products necessary to meet Social Distancing recommendations, provided that they take reasonable actions to comply with Social Distancing recommendations, and provided that:
  - i. Childcare must be carried out in stable groups often or fewer ("stable" means that the same ten or fewer children are in the same group each day).
  - ii. Children shall not change from one group to another in the same day.
  - iii. If more than one group of children is cared for at one facility, each group shall be in a separate room and groups shall not mix with each other; and
  - iv. Childcare providers shall remain solely with one group of children in the same day.

- G. "Essential Government Functions" means 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 functions as determined by the Municipal Judge and/or Presiding Judge or the Presiding Judge's designee, and any other government functions necessary to provide for the health, safety, and welfare of the public;
- H. "Essential Critical Infrastructure" means operation and maintenance of essential critical infrastructure sectors whose assets, systems, and networks, whether physical or virtual, are considered so vital that their incapacitation or destruction would have a debilitating effect on security, economic security, public health or safety, or any combination thereof and more fully identified by the U.S. Department of Homeland Security. See <https://www.cisa.gov/identifying-critical-infrastructure-during-covid-19>.
- I. "Essential Products and Services" means products and services that are necessary for Essential Activities, Essential Government Functions, Essential Critical 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).
- J. "Essential Travel" means travel that is necessary to serve any of the following purposes:
1. Travel related to Essential Activities, Essential Government Functions, Essential Critical 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 individuals.
  3. Travel to an Essential Business to purchase goods or services from the Essential Business.
  4. Travel to or from educational institutions for purposes of 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 by court order.
  7. Travel required by directions from law enforcement personnel with authority; and
  8. Travel required for non-residents to return to their place of Residence outside the County.
- K. "Gathering" means an occasion when people come together as a group, whether formal or informal and whether public or private.
- L. "Health" means the physical, mental, psychological, or psychiatric health of any person.
- M. "Healthcare Operations" means hospitals, clinics, dentists, doctors, physicians, nurses, medical assistants, social workers, speech pathologists, diagnostic 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, organizations collecting platelets, reproductive health care providers, eye care centers (including those that sell glasses and contact lenses), substance abuse counselors, pharmacies, pharmaceutical and biotechnology companies, doctor offices, dentist offices, healthcare facilities, 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, veterinarians, animal health services, workers providing COVID-19 testing, workers that perform critical clinical research needed for the COVID-19 response, facilities licensed pursuant to state constitutional amendment, the design and construction of healthcare and research- related facilities including businesses that support the function and care for healthcare entities, and manufacturers and distributors of personal protective equipment, durable medical equipment, or other equipment used in the provision of healthcare. This definition shall be construed broadly to avoid any impacts to the delivery of healthcare, broadly defined, however "Healthcare Operations" does not include fitness and exercise gyms, esthetician services, tattoo parlors, tanning facilities, spas, massage facilities, or similar facilities.

- N. "High Risk" means a person who is any one of the following: (a) over sixty 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;
- O. "Intentional" means an act done with a purpose or with deliberation.
- P. "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.
- Q. "Necessary Services or Supplies" means services, supplies, or funds needed to engage in Essential Activities and support Essential Critical Infrastructure.
- R. "Organizes" means intentionally coordinate, to make arrangements for, or to make preparations for an event or an activity.
- S. "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 the Governor's Stay at Home 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, museums, arcades, fairs, children's play centers, playgrounds (including children's play structures in public or private parks), funplexes, bowling alleys, movie and other theatres, concert and music halls, golf clubs (with the narrow exceptions of playing golf where there is no shared equipment by the participants and driving ranges where Social Distancing recommendations 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, unless closed by the directive of the City Manager.
- T. "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;
- U. " Social Distancing recommendations " means the physical distancing recommendations of the CDC which include maintaining at least six-foot physical 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; and

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

### **Enforcement & Severability**

If any provision of this notice and the Governor's Order or its application to any person or circumstance is held to be invalid, then the remainder of the Order, including the application of such part 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 notice are severable.

The Statewide Missouri Stay at Home Order, effective at 12:01 A.M. on Monday, April 6, 2020, directs that local public health authorities (i.e., County Public Health Officers) are hereby directed to carry out and enforce the provisions of the Governor's Stay at Home Order by any legal means. The local public health authority is authorized to extend these directives, if needed, to ensure the public health of Audrain County.

The Governor's Order shall remain in effect until 11:59 P.M., on Friday, April 24, 2020, unless extended by further order of the Director of the Department of Health and Senior Services with said extensions not to exceed the duration of the effective period of Executive Order 20-02.

Enforcement. The violation of the Governor's Stay at Home order of April 3, 2020, and any more specific quarantine orders given by the Public Health Officer of Audrain County are subject to civil and criminal enforcement. Law enforcement and Health Department officials may investigate violations.

An injunction may be filed to stop violations, and criminal violations may be punishable as a misdemeanor. A civil injunction may be enforced by a Court order, and contempt of a Court order may result in fines or incarceration. A class A misdemeanor is punishable by a fine of up to two thousand dollars, and/or one day up to one year in the County Jail (Section approved and drafted by Jacob Shellabarger, Audrain County Prosecuting Attorney).

Dr. Sandra M. Hewlett

Dr. Sandra M. Hewlett, DHA, MS, APRN, FACHE  
Audrain County Health Department Administrator &  
Audrain County Public Health Authority/Officer

April 5, 2020

Date