

PUBLIC HEALTH ORDER OF THE SALINE COUNTY LOCAL HEALTH OFFICER

Emergency Public Health Order issued on this 22nd day of February 2021, to mitigate the spread of the Coronavirus Disease 2019 (COVID-19) 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.

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, the U.S. Department of Health & Human Services declared a public health emergency due to COVID-19 beginning on January 27, 2020; and

WHEREAS, between January 4, 2021 and February 16, 2021 Saline County showed a continued decrease in the number of new cases of COVID-19, number of hospitalizations due to COVID-19 and a continued decrease in COVID-19 related deaths in Saline County; and

WHEREAS, over the past several weeks, more cases of COVID-19 variants have been discovered in the United States, including Kansas; and

WHEREAS, Saline County continues to experience a significant supply shortage of COVID-19 vaccine for the community; and

WHEREAS, as the Local Health Officer I find that it is necessary to exercise my authority to prohibit certain gatherings in order to properly handle the COVID-19 disease;

NOW, THEREFORE, BE IT ORDERED as follows:

Section One: Mass Gatherings

1. No group of more than 50 individuals shall gather within any indoor space within Saline County, Kansas, with the exception of those establishments delineated in Section Two below.
2. Any gathering of individuals outdoors in a park, stadium, or open-air entertainment venue shall maintain social distancing to the maximum extent possible and any individuals who are not actively participating in a sporting activity shall wear a face covering.
3. Definitions. As used in this section:
 - a. The terms “gather,” “gathering,” or “mass gathering” shall refer to a group of individuals who are spaced less than six feet apart for a period of 10 minutes or longer.
 - b. The term “indoor space” shall refer to any individual room, office, hallway or other enclosed space, provided that it shall not be applicable to jail or correctional facilities,

manufacturing, processing or distribution plants, food pantries, shelter or detoxification facilities, National Guard or military facilities.

- c. The term “actively participating in a sporting activity” shall refer to players, substitutes, coaching staff, athletic trainers and like individuals, but shall not be construed to refer to spectators of the activity who are at least six feet from the playing surface.
- d. The term “face covering” shall refer to a covering of the mouth and nose that is secured to the head with ties, straps or loops over the ears, or is simply wrapped around the lower face.

Section Two: Limitations on Gatherings at Certain Establishments

1. Due to the transitory nature of their business, a retail establishment or space being used in a retail manner may have more than 50 individuals present within a single indoor space. However, such establishments shall endeavor to provide adequate social distancing and to enforce the provisions of local ordinances or resolutions relating to the wearing of face coverings.
2. A bar, restaurant or congregate eating space may have more than 50 individuals present within a single indoor space, provided that no party in excess of eight individuals may be seated at a common table and that all seated parties must be placed at least six feet apart from other seated parties (between tables and/or booths), or when that is not feasible a barrier such as Plexiglas or other partition shall divide booths or tables closer than six feet. Such establishments may not be open to the public before 5:00 a.m. or after 12:00 midnight.
3. A commercial or public gym or fitness center may have more than 50 individuals present within a single indoor space, provided that they shall be limited to not more than 50 percent of the capacity permitted under the applicable fire code. Such establishments must frequently clean common touchpoints, including but not limited to benches, seating and lockers.
4. Personal service and medical facilities such as nail salons, barber/beauty shops, dentist’s and doctor’s offices shall attempt to limit the number of persons in any common waiting room to fewer than 50 individuals at any given time.
5. An auditorium, exhibit hall, event space or theater may have more than 50 individuals present within a single indoor space, provided that they shall be limited to not more than 50 percent of the capacity permitted under the applicable fire code and shall require all individuals present to wear a face covering.
6. A bowling alley, arcade, trampoline park or entertainment space may have more than 50 individuals present within a single indoor space, provided that they shall be limited to not more than 50 percent of the capacity permitted under the applicable fire code and shall require the wearing of face coverings at all times when not actively eating or participating in physical activity (i.e. laser tag, or jumping). If the establishment has a designated eating area, they shall not allow parties in excess of eight individuals to be seated at a common table and all seated parties must be placed at least six feet apart from other seated parties (between tables and/or booths), or when that is not feasible a barrier such as Plexiglas or other partition shall divide booths or tables closer than six feet. Such establishments must frequently clean common touchpoints, including but not limited to arcade games, bowling balls, trampoline padding, seating, and tables.
7. The following establishments may have more than 50 individuals present within a single indoor space, but shall attempt to provide social distancing and encourage use of face coverings:
 - a. Religious institutions;

- b. Airports;
- c. Election polling places;
- d. Licensed childcare facilities;
- e. Schools and activities within the purview of a school's governing body;
- f. Court facilities; and
- g. Funeral homes.

Section Three: Enforcement

Pursuant to K.S.A. 65-129b, 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.

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.

Section Four: Effective Dates

This Order is effective at 12:01 a.m. on Monday, February 22, 2021, and shall remain in effect until 11:59 p.m. on Sunday, March 21, 2021, unless extended, rescinded or modified prior to that date.

Section Five: Review

Pursuant to Sections 37 and 38 of 2020 Special Session House Bill No. 2016, which amended K.S.A. 65-201 and 65-202, the Board of County Commissioners may review, amend, or revoke this Order.

IT IS BY THE LOCAL HEALTH OFFICER OF SALINE COUNTY, KANSAS, SO ORDERED ON THIS 22nd DAY OF FEBRUARY, 2021.



Jason Tiller, Health Officer