

**ORDER OF THE
COOK COUNTY DEPARTMENT OF PUBLIC HEALTH
No. 2021-5
COVID-19 PHASE 4 MITIGATION**

Effective: March 2, 2021

WHEREAS, On January 27, 2020, the United States Secretary of Health and Human Services declared that COVID-19, a respiratory illness spread by close contact through respiratory droplets, presents a public health emergency, and the World Health Organization characterized the COVID-19 outbreak as a pandemic on March 11, 2020.

WHEREAS, The Cook County Department of Public Health is the Illinois certified local health department for suburban Cook County, Illinois, with the exception of Evanston, Skokie, Oak Park, and Stickney Township, serving 127 municipalities.

WHEREAS, The Cook County Department of Public Health is responsible for determining when a danger to the public health exists within its jurisdiction, and to order measures deemed necessary to protect the public health until such time that the danger to the public health is eliminated or reduced in such a manner that an immediate threat no longer exists.

WHEREAS, pursuant to the Cook County, Illinois, Code of Ordinances Sec. 38-33(b), a law enforcement officer with proper jurisdiction shall be authorized to enforce orders issued by the Cook County Department of Public Health with respect to public health measures and shall assist in enforcing such orders.

WHEREAS, the State of Illinois has announced that suburban Cook County can move to Phase 4, effective February 2, 2021.

WHEREAS, The Cook County Department of Public Health has determined that additional mitigation measures are necessary to protect the public health.

NOW, THEREFORE, in accordance with the authority delegated to it by the Illinois Department of Public Health pursuant to the Illinois Public Health Act (20 ILCS 2305/1.1 *et seq.*); the Illinois Department of Public Health Powers and Duties Law (20 ILCS 2310/2310-15 *et seq.*); and the Cook County, Illinois, Code of Ordinances (Chapter 38, Article II *et seq.*), the Cook County Department of Public Health hereby directs and orders:

All Businesses and Individuals

- Any individual who is over age two and able to medically tolerate a mask shall be required to wear a mask when in a public place, which for purposes of this Order includes any common or shared space in: (1) a residential multi-unit building or (2) any non-residential building.
- Mask refers to a complete and tight knit fabric or cloth, or medical mask that is appropriately sized for the individual's face to snuggly cover the nasal openings and mouth without the necessity of being held in place by the individual's hands.

Bars, Restaurants, Private Clubs, Country Clubs (All businesses that offer food or beverages for on-premises consumption—including, but not limited to, restaurants, bars, grocery stores, and food halls):

- Indoor service is limited to the lesser of 50 patrons or 50% of capacity per room.

- Food must be available at all times in order to offer indoor service. Bars, taverns or breweries without a food license can reopen indoors as long as they partner with a food establishment (e.g., making menus available and allowing delivery, allowing patrons to order from third-party delivery services).
- Indoor and outdoor table size limited to no more than six people.
- Table placement must allow for parties to be seated 6 feet apart from one another. Bar seating allowed with 6 feet between parties. All staff must be masked at all times. Patrons are required to be masked unless actively eating. Those seated at the bar must be masked and not allowed to sit unmasked unless eating or actively drinking. If a patron is unmasked a member of the restaurant staff must ask the customer to mask and if not complied with after requested to leave. Failure to require patrons to be masked will be seen as a violation of the establishment to operate safely.
- Patrons must be seated for service. No congregating of patrons allowed prior to being seated. Customers waiting for a table must wait socially-spaced outdoors.
- Outdoor service includes:
 - Rooms with retractable roofs;
 - Rooftops;
 - Multi-party structures, such as tents, with at least 50% of walls open
 - Single-party structures, such as igloos, with proper ventilation; and/or
 - Tables indoors within eight feet of an open wall or window that is at least 50% open to the outdoor air.

Meetings, Social Events and Gatherings - including, but not limited to, weddings, potlucks, etc.

- Indoor and outdoor events allowed at the lesser of 50% capacity, or a maximum of 50 individuals. Events must follow indoor dining guidelines.
- Dance floors must remain closed.

Indoor and Outdoor Activities

- Parks, Outdoor Attractions, and professional major and minor league sports stadiums
 - Each outdoor space is limited to the lesser of 50% capacity, or a maximum of 100 individuals, while practicing social distancing.
 - Indoor spaces (e.g., field houses, indoor exhibit spaces) limited to the lesser of 50% capacity, or a maximum of 50 individuals per partitioned space.
 - Group size for outdoor activities is limited to a maximum of 50 people per group, with total capacity limited to 100 people while maintaining appropriate social distancing.
 - Zoos limited to 25% capacity.
- Flea Markets – In addition to following Illinois DCEO Retail Guidelines and where applicable food service and sale requirements:
 - Venue capacity limited to 25% capacity.
 - Flea Market operators must have a wellness screening program and provide safety materials to all vendors before arriving on site. Operators must also conduct pre-shift and 5-hour shift screenings of the vendors.
- Indoor Recreation Centers (e.g., arcades)
 - Indoor spaces limited to the lesser of 50% capacity, or a maximum of 50 individuals per space.

- If the facility has an outdoor component, each outdoor space is limited to the lesser of 50% capacity, or a maximum of 100 individuals, while practicing social distancing.
- Organized Group Recreational Activities (i.e., sports, indoor sports & activities facilities) Not applicable to professional sports.
 - Limit group sporting and recreational activities including youth and adult recreational sports to the lesser of 50% capacity, or a maximum of 50 individuals indoors. This includes park districts and travel leagues.
 - Group size for outdoor activities is limited to the lesser of 50% capacity or a maximum of 100 people, while maintaining appropriate social distancing.
 - Individual training may continue (with facility reservation)
 - Locker rooms and showers can remain open, if strict and frequent cleaning measures are in place.
 - Illinois All Sports Policy is required to be followed for sports play level and allowances.
 - All sports participants playing indoors must be masked or play risk level will be elevated per Illinois All Sports Policy.
- Indoor Live Music, Performance Venues & Night Clubs
 - Events must follow indoor dining guidelines where food is available i.e. table service, or:
 - At outdoor kiosk, pre-packaged food and drink via “grab and go” is permitted with queuing areas clearly marked to observe social distancing, or
 - Based on indoor service area size:
 - Indoor quick service areas over 500 square feet, pre-packaged food and drink via “grab and go” with no queuing permitted.
 - Indoor quick service areas 500 square feet and under, pre-packaged food and drink via “grab and go” with queuing areas clearly marked to observe social distancing.
 - For any live performances, any seating within 6-ft. of stage must be closed or an impermeable barrier installed between stage and patrons.
 - Capacity limited to the lesser of 50 people or 50% capacity per room/space, excluding employees
 - Venue operators must close all dance floors / prohibit dancing among patrons
 - No physical contact between patrons and performers or employees.
 - Maximum of ten guest group size.

Bowling

- Operate at the lesser of 200 people or 50% of venue capacity.
- Groups of bowlers of up to 50 people will be separated by two unused, or “dark” lanes.
- Refer to the Restore Illinois Phase 4 Bowling Guidelines on the Illinois Department of Commerce and Economic Opportunity website.

Arts and Culture

- Museums
 - Capacity limited to 25% occupancy.
 - Guided tours limited to 50 individuals per group.
- Performance Venues and Movie Theaters

- Indoor spaces limited to the lesser of 50% capacity or a maximum of 50 individuals per space.
- If the facility has an outdoor component, each outdoor space is limited to the lesser of 50% capacity, or a maximum of 100 individuals, while practicing social distancing.
- Film & TV Production
 - Encourage production to limit groups of cast and crew to no more than 50 individuals in confined rooms or spaces
 - Limit capacity to 50% for all indoor spaces, while still adhering to gathering size restriction

Health and Fitness Centers

- Indoor facilities are limited to a maximum of 50% capacity.
- Patrons and staff are required to be masked at all times unless actively eating or drinking.
- Gatherings of employees and customers in common areas (e.g., check-in area) is limited to a maximum of 50 individuals, while ensuring proper social distancing.
- Indoor fitness classes limited to 20 individuals.
- Outdoor fitness classes are limited to a maximum of 50 individuals, while ensuring proper social distancing.
- Locker rooms and showers can remain open if strict and frequent cleaning measures are in place.
- Ancillary accommodations, including saunas and steam rooms, where social distancing and frequent cleaning cannot take place, must remain closed.

Personal Services

- Indoor space limited to the lesser of 50% capacity or 50 individuals, while practicing social distancing.
- If a service requires the removal of face coverings (e.g., facials, beard trimmings) employees must wear both a mask and eye protection (e.g. face shield, protective glasses).

Retail Stores

- General merchandise stores, “big box” stores that offer groceries and pharmacy, and convenience stores limited to a maximum of 50% capacity.
- Grocery stores and pharmacies limited to a maximum of 50% capacity.
- Gatherings of employees and customers at choke points is limited to no more than 50 individuals, while ensuring proper social distancing.
- Smoking is permitted in hookah stores, cigar lounges and other retail tobacco shops. Limited to the lesser of 50% capacity, or 50 individuals per room, while ensuring proper social distancing

Hotel & Accommodations

- Gatherings in common spaces (e.g., lobby area) is limited to the lesser of 50% capacity, or 50 individuals, while ensuring proper social distancing.
- Fitness centers limited to a maximum of 50% capacity. Hotel guests are required to be masked at all times in the fitness center.
- Event and meeting spaces limited to 50% capacity, to a maximum of 50 individuals.

Short Term Rentals

- Gatherings limited to no more than 10 individuals in a single rental property or associated building common area/room, following building and individual property owner guidance.

Office Buildings

- All employees who can work remotely are encouraged work remotely.
- If remote work is not possible, limit capacity to 50% for all indoor spaces, including tenant spaces.
- Limit gatherings of occupants in cafeterias, meeting rooms, tenant lounges, and other gathering points to the lesser of 50% capacity, or a maximum of 50 individuals.

Residential Buildings

- Indoor gatherings within private residences limited to 10 individuals.
- Limit capacity in common areas and amenity spaces (e.g., conference rooms, tenant lounges) to the lesser of 50% capacity, or a maximum of 50 individuals for indoor spaces or activities, while ensuring proper social distancing.

Businesses

- Manufacturing
 - Limit gatherings of employees in cafeterias, meeting rooms and other gathering points to no more than 50 people, while ensuring proper social distancing.
- Construction
 - Limit capacity to no more than 50 people in any meetings or choke points on the site (e.g., ingress/egress spots)
- Transportation and Warehousing
 - Limit gatherings of employees in cafeterias, meeting rooms and other gathering points to no more than 50 people, while ensuring proper social distancing.

Healthcare

- Limit gatherings of individuals in cafeterias, meeting rooms, and other gathering points to no more than 50 individuals, while ensuring proper social distancing.

Transportation

- Busses/Trains
 - 15 passenger limit on 40-ft buses.
 - 22 passenger limit on 60-ft buses and all train cars.
- Taxis and Rideshares
 - Vehicles limited to a maximum of 9 individuals, including the driver.

Face covering or mask in this Order refers to a complete and tight knit fabric or cloth, or medical mask that is appropriately sized for the individual's face to snuggly cover the nasal openings and mouth without the necessity of being held in place by the individual's hands. Cook County Department of Public Health may allow variance to this Order on a case-by-case review basis which would be based on, but not limited to, Illinois Department of Commerce and Economic Opportunity and Illinois Department of Public Health policy and guideline updates.

Exemptions

- **Free exercise of religion.** This Order does not limit the free exercise of religion. To protect the health and safety of faith leaders, staff, congregants and visitors, religious organizations and houses of worship are strongly encouraged to consult and follow [the recommended practices and guidelines from the Illinois Department of Public Health](#). Religious organizations are strongly encouraged to take steps to ensure social distancing, the use of face coverings, and implementation of other public health measures.

- **Emergency functions.** All first responders, emergency management personnel, emergency dispatchers, court personnel, law enforcement and corrections personnel, hazardous materials responders, child protection and child welfare personnel, housing and shelter personnel, military, and other governmental employees working for or to support the emergency response are exempt from this Order, but are encouraged to practice social distancing and take recommended public health measures.
- **Governmental functions.** This Order does not apply to the United States government and does not affect services provided by the State or any municipal, township, county, subdivision or agency of government and needed to ensure the continuing operation of the government agencies or to provide for or support the health, safety and welfare of the public.

In addition to any other penalty provided by law, violations of this Order shall be subject to the penalties as set forth in the Cook County, Illinois, Code of Ordinances Sec. 38-38.

This Order repeals and replaces Cook County Department of Public Health Order 2021-4.

Nothing in this Order shall, in any way, alter or modify the legal authority of the State or any county, or local government body.

If any provision of this Order or its application to any person or circumstance is held invalid by any court of competent jurisdiction, this invalidity does not affect any other provision or application of this Order, which can be given effect without the invalid provision or application. To achieve this purpose, the provisions of this Order are declared to be severable. This Order is meant to be read consistently with any Court order regarding this Order.

This Direction and Order by the Cook County Department of Public Health shall remain in effect for the duration of the COVID-19 public health emergency as declared by United States Secretary of Health and Human Services, or until such time the Cook County Department of Public Health makes a written determination that the threat to public safety has diminished to the point that this Order can be safely repealed.

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