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A Guide to Re-opening Shawnee County, Kansas Under Ad Astra, Phase 3

COVID-19 Safety Requirements for Businesses,
Owner/Operators, Planners, Managers, and Individuals



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Shawnee County Re-Opening Guide Under Ad Astra, Phase 3 is intended to provide any additional local restrictions and clarification of restrictions that are addressed in “Ad Astra: A Plan to Reopen Kansas” originally an Executive Order from Governor Laura Kelly that can be found at <https://covid.ks.gov/ad-astra-a-plan-to-reopen-kansas/> Please review the entire Ad Astra Document to better understand how this local guide applies.

Timing:

On Monday June 8, 2020 12:01 AM, Shawnee County Health Order Phase 3 with local restrictions will take effect. The next phase will be developed but release is not expected before June 22, 2020.

Restrictions and guidance

Under Phase 3 of the Ad Astra Plan the following, unless they are repurposed for use in an essential function under the Kansas Essential Function Framework, **shall remain closed to the public:**

- All businesses can open with some restrictions.

General Guidelines

- Mask wear is highly encouraged by everyone but **is required** for some employees and industries as indicated in the tables below <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/cloth-face-cover.html> See additional information in the “Clarifications” section of this document.
- Social distancing rules apply in every location <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/social-distancing.html>
- Hygiene and facility cleaning practices consistent with CDC guidelines <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/disinfecting-your-home.html>
- Showers and locker rooms are allowed to be used and should be cleaned frequently <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/disinfecting-your-home.html>

Clarifications:

Nursing homes: Are strongly recommended to follow the recommendations from the federal Center for Medicare and Medicaid Services (CMS) for a phased relaxation of the current precautions. Given the fact that there is still a considerable amount of virus circulation in Shawnee County, it is highly recommended that during Phase 3 of the Ad Astra plan nursing homes adopt the restrictions indicated by CMS for Phase 2 of the CMS plan (<https://www.cms.gov/files/document/qso-20-30-nh.pdf-0>).

Self-Serve: Buffets, salad bars, soft drink machines and the like are now allowed.

Bars located other establishments (bowling alleys, restaurants, pools etc.): Must follow the restrictions of bars in the tables below. Total occupancy is based on the fire marshals guidance for the facility.

Counter Service: If service at the counter is provided, there must be at least 6 feet of distance between adjacent chairs or bar stools. Ordering food and paying for it at a counter or register space is still allowed. The social distancing rules and guide to restaurants must be followed (six feet separation, sanitation standards and gathering size). <https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-restaurants-bars.html>

Showers and Locker rooms previously restricted can be open for use.

Mass Gatherings: The number for mass Gatherings has increased to 45 persons. In practical application it means “groups of people”. An event or locations can have up to 45 people in one group. If a facility is large enough to hold multiple groups of 45 that can retain social distancing (groups of 45 staying six to ten feet apart) it is acceptable. Multiple groups in one area should not mingle. Mask wear for everyone is highly encouraged to reduce the spread of the COVID-19 virus. All mass gathering are subject to the restrictions in the tables below.

Mask Wear: Mask wear is highly encouraged and, in some case, required (see table below). Comments that “cloth mask wear is not recommended by the CDC, the Surgeon General and the World Health Organization (WHO)” are inaccurate. As of the publication of this document the;

- *CDC* states “[CDC recommends](https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/diy-cloth-face-coverings.html) wearing cloth face coverings in public settings where other social distancing measures are difficult to maintain, such as grocery stores, pharmacies, and gas stations. Cloth face coverings may slow the spread of the virus and help people who may have the virus and do not know it from transmitting it to others. Cloth face coverings can be made from household items. <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/diy-cloth-face-coverings.html>
- *The Surgeon General* opinion has changed and now agrees with the CDC guidance and now links directly to the CDC recommendation site in the the above bullet. <https://www.hhs.gov/surgeongeneral/index.html>
- *The WHO* offers advice, videos on proper mask wear and other advice on the same at <https://www.who.int/emergencies/diseases/novel-coronavirus-2019/advice-for-public/when-and-how-to-use-masks>

Situation:

As is pertinent going forward, on May 26, 2020 Governor Laura Kelly vetoed HB-2054 and called the Kansas Legislature back and into a Special Session.

Executive Order 20-34 implementing Phase 2 of “Ad Astra: A Plan to Reopen KANSAS (May 19, 2020) was reduced to being recommendations and not requirements, under the law, as the Emergency Declaration the previous order(s) were based on were no longer in effect.

After due deliberations, the Shawnee County Covid-19 Response Team and the Shawnee County Health Officer determined that there should be no changes made to the orders in Shawnee County that were previously set forth on May 20, 2020 for Phase 2.0, as a part of EO 20-34, and the Shawnee County Health Officer issued an order to clarify and reinforce that decision.

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On June 3, 2020, the Kansas House passed HB-2016 and on June 4, 2020, the Kansas Senate passed HB-2016, which was sent to the governor for her signature or veto.

A different provision immediately relevant from the passing of HB-2016 is that anyone who "intentionally violates" an order(s) of this nature will be assessed a civil penalty of up to \$2,500 per violation, in addition to any other penalty provided by law. Direct enforcement of these an order(s) shall be through an action brought under Chapter 60 of the Kansas Statutes Annotated, known as the Rules of Civil Procedure, by the Attorney General or the county or district attorney in the county in which the violation took place.

This document, which is entitled *A Guide to Re-opening Shawnee County, Kansas Under Ad Astra Phase 3*, and the accompanying order from the Shawnee County Health Officer, shall be placed into effect at 12:01 am Monday morning June 8, 2020. This order meets the requirements as set forth in HB-2016 and shall be reviewed by the Shawnee County Board of Health on a weekly basis going forward

Purpose:

This guide accompanies the Shawnee County Health Officer Order regarding Phase three Issued on June 5, 2020. The plan and order was developed by the Shawnee County COVID-19 Response Team, specialists, subject matter experts and partners. On June 4, 2020 it was approved by the Shawnee County Board of County Commissioners as the Shawnee County Board of Health.

Local and corporate business management and owners having the responsibility to refuse service to customers are encouraged to exercise those rights to meet the intent of these orders so as to keep their customers safe and likewise continue to reduce the spread of COVID-19.

Restrictions in the order defined in this guide can be made more restrictive by business owners and anything less restrictive is not permitted.

Scope, focus and authority:

By K.S.A. 65-201 and 65-202, the Shawnee County Health Officer has the authority to issue public health orders during any phase of the Plan, as does K.S.A. 65-116a through 65-129f. The Shawnee County Health Officer hereby incorporates by reference the Phase 3 of the Governor's Ad Astra Plan as the plan for Shawnee County, and the restrictions contained therein shall become the restrictions in Shawnee County. Additional restrictions described in Table 1 below shall also apply.

These restrictions will remain in effect until the Shawnee County Health Officer has determined that public health conditions and criteria will allow movement to the next phase. The Shawnee County Board of Health comprising the Shawnee County Commissioners, will monitor, provide strategic guidance and approval of the Phased reopening plan prior to their issuance.

The Shawnee County Health Officer shall reserve the right to issue more restrictive orders to specific employers and/or businesses who fail to follow all social distancing and other restrictions that are required to safely reopen.

Throughout all these reopening phases, Shawnee County residents should maintain social distancing, practice good hygiene, remain home when sick, follow isolation and quarantine orders issued by state

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and/or local health officers, use cloth face masks when leaving their homes, and continue to clean and disinfect surfaces. These basic public health guidelines will slow the spread of this disease as we slowly re-open Shawnee County.

Individuals are strongly encouraged to seek medical services when necessary while following safety guidelines issued by each respective medical facility.

Mass gathering limits for each phase were determined by considering the capacity of our public health infrastructure and determining a measured, gradual approach for loosening restrictions.

Any phase of this guide and supporting orders can be rescinded by the county or state Health Officers. Such officers shall be permitted to enact and adopt stricter measures if there are signs and data indicating a worsening of conditions that cannot be immediately controlled or where contact tracing investigations cannot be fully maintained.

Responsibilities:

It is the responsibility of Shawnee County to implement restrictions to maintain the Public Health infrastructure and preparedness (Hospitals and Public Health operations). This is performed through communication, education, guidance, enforcement, and applicable public safety orders.

It is the responsibility of businesses who choose to open to follow local guidance to safely operate during this phased reopening.

It is the responsibility of each individual to take personal measures to keep themselves safe through personal risk assessments and measures.

Assumptions:

This guide was developed with the following assumptions:

- Each entity mentioned in these orders will have a disciplined adherence to the social distancing, mask wear, business guidelines/restrictions, and responsibilities mentioned in this plan and the Phase 3 of the Ad Astra reopening guide and health orders.
- Cleaning and disinfecting of areas will be routinely done.
- Any adjustments will be communicated quickly in the community and partners will aid with compliance.
- The Health Officer will issue any Emergency Orders to close or stop any facility or event that violates health orders.

Re-opening Shawnee County for business: Safety requirements

General principles

- Social distancing will be necessary for the foreseeable future.
- Restrictions need to be adjusted depending on the level of transmission and other epidemiological factors in the community.
- If transmission increases, it may be necessary to reverse to a previous phase (i.e., stricter restrictions).
- High-risk individuals need to distance themselves from social activities more than other individuals.
- Working from home and telework is highly encouraged.
- Businesses and settings with higher risk of transmission (because of limited, feasible social distancing or other factors) need to be subject to more restrictions than others. Additional Requirements for Shawnee County

Table 1- Restrictions to Phase 3 Shawnee County Health Order Issued June 5, 2020 and effective June 8, 2020. Plan and order approved by the Shawnee County Board of Health on June 4, 2020.

“Shall” means it is required.

<p>Restaurants</p>	<ul style="list-style-type: none"> • They can operate, subject to limits of mass gatherings and social distancing • They shall monitor waiting lines outside their doors and assure that social distancing requirements are followed. This requirement does not apply if the business operates only through a phone or online reservation system • Workers who have contact with customers, including wait staff, shall wear masks and sanitize hands between tending different tables • People with symptoms shall not enter or be allowed to remain in the premises • If service at the counter is provided, there must be at least 6 feet of distance between adjacent chairs or bar stools https://www.cdc.gov/coronavirus/2019-ncov/community/organizations/restaurants-and-bars-decision-tool.html
<p>Bars and Night Clubs</p>	<ul style="list-style-type: none"> • Open to 50% capacity based on the fire marshal’s occupancy limitations. • Subject to limits of mass gatherings and social distancing • They shall monitor waiting lines outside their doors and assure that social distancing requirements are followed. This requirement does not apply if the business operates only through a phone or online reservation system

	<ul style="list-style-type: none"> • Workers who have contact with customers, including wait staff, shall wear masks at all time and sanitize hands between tending different tables • People with symptoms shall not enter or be allowed to remain in the premises • If service at the counter is provided, there must be at least 6 feet of distance between adjacent chairs or bar stools https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-restaurants-bars.html
<p>Retail Businesses</p>	<ul style="list-style-type: none"> • Employees who have contact with customers shall wear masks at all times • Assure that the number of customers inside the building allows practicing of social distancing (i.e., avoid overcrowding) • Shopping carts, if made available to customers, shall be disinfected by staff before customers can have access to them • Hand sanitizer shall be readily available throughout the premises • Marks shall be applied to the floor in the area adjacent to each cash register to indicate where to wait for check out <p>https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html</p>
<p>Personal Services (salons, barber shops, pet grooming, tattoo parlors etc.)</p>	<ul style="list-style-type: none"> • Both practitioner (service provider) and Client (customer) shall wear masks at all times • One customer is allowed per service provider in the business at any given time. Mass gathering rules apply (no more than 45 including employees and clients with six-foot separation) • If the service inhibits the donning of a mask for either party that service cannot be provided • Hair braiding must follow the guidance set by KDHE and this document <p>https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html</p>
<p>Entertainment venues (movie theatres, concert venues, bowling alleys, etc.)</p>	<ul style="list-style-type: none"> • Can operate only if they can pre-assign seats (when applicable) or adopt other measures to respect requirements for social distance and mass gathering size for customers • Employees who have contact with customers shall wear masks • Bar, concessions and restaurant areas in these venues shall meet the same requirements as those not located within the venues (Bar and restaurant, counter service rules)

<p>Mass events open to the public (including fairs, festivals, carnivals, parades, concerts, etc.)</p>	<ul style="list-style-type: none"> • Outdoor and indoor events shall be limited to no more than 2,000 participants, or 50 percent of the total capacity (or expected attendance) of the venue (whichever is smaller) after social distancing and mass gathering rules are applied. • Organizers shall enact necessary measures to respect social distancing and mass gathering rules (i.e., attendees shall not be congregated in groups greater than 45 unless they are separated by 6 feet or more) • For events like trade shows or displays where attendees move in and out during the event, organizers must assure that at no time during the event the crowd size exceeds the maximum allowable size. <p>https://www.cdc.gov/coronavirus/2019-ncov/community/large-events/</p>
<p>Parks and Recreation Activities</p>	<ul style="list-style-type: none"> • Parks and Recreation Facilities must follow all mass gathering rules including monitoring the gathering sizes at rental spaces.
<p>Gyms and Fitness Centers</p>	<ul style="list-style-type: none"> • Staff shall be on the premises through the duration of operating hours. No unattended operations are allowed. • Employees who have contact with customers shall wear masks • Shall adhere to social distancing guidelines, allowing people to remain 6 feet apart at all times. • Equipment shall be spaced to make sure customers are never closer to each other than 6 feet • Equipment shall be cleaned thoroughly between uses using an appropriate disinfectant (see https://www.epa.gov/pesticide-registration/list-n-disinfectants-use-against-sars-cov-2) • Sharing of equipment shall be minimized. <ul style="list-style-type: none"> • Showers and locker rooms are allowed to be used and must be cleaned frequently
<p>Sports and Athletic Activities</p>	<ul style="list-style-type: none"> • Outdoor and indoor sports events shall be limited to no more than 2,000 participants, or 50 percent of the total capacity of the venue (whichever is smaller). 50% capacity based on the fire marshal's occupancy limitations. • Sports and athletic activities are allowed, subject to the limitations of social distancing and mass gatherings • For contact sports involving opposing teams, the two teams combined shall be considered as one mass gathering, whose size shall not exceed 45 people

	<ul style="list-style-type: none"> • For non-contact sports involving opposing teams, each team shall be considered as one mass gathering, whose size shall not exceed 45 people • For events open to the public, organizers shall enact necessary measures to assure that social distancing and mass gathering rules are applied for the public • Bar, concessions and restaurant areas shall meet the same requirements as those not located within the venues <p>https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/youth-sports.html</p>
Swimming Pools Open to the Public	<ul style="list-style-type: none"> • Can only open to 50% capacity based on the fire marshals occupancy limitations. • If the establishment reaches its 50% capacity, customers should be admitted on a “1-out-1-in” basis. https://www.cdc.gov/coronavirus/2019-ncov/community/parks-rec/aquatic-venues.html • Must adhere to social distancing and mass gatherings requirements, allowing individuals or groups of no more than 45 people to remain 6 feet apart at all times. • The operator is responsible for managing the crowd outside and inside the swimming pool, assuring social distancing is maintained • People with symptoms should not enter • Employees who have contact with customers shall wear masks • Bar, concessions and restaurant areas shall meet the same requirements as those not located within the swimming pool • Perform thorough disinfection at least daily, using products and procedures recommended by the CDC (see https://www.cdc.gov/coronavirus/2019-ncov/community/organizations/cleaning-disinfection.html)
Real Estate	<ul style="list-style-type: none"> • Individual showings and open houses are allowed, provided that the limit to social gatherings size is respected and social distancing can be maintained at all times. • Realtors involved in showings and open houses shall wear a mask
Childcare and summer camps	<ul style="list-style-type: none"> • Outdoor activities are encouraged • Perform enhanced cleanings daily, using products and procedures recommended by the CDC (see https://www.cdc.gov/coronavirus/2019-ncov/community/organizations/cleaning-disinfection.html) • Assure that social distancing and limit to mass gatherings is observed. Children should be assigned to groups of no more than 45 and groups should be separated by at least 6 feet

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	<ul style="list-style-type: none">• If possible, children shall be cared for by the same caregiver(s) each day placed into cohorts so that the same children are in the same space with the same caregiver(s) each day• Limit the mixing of children, such as by staggering playground times and keeping groups separate for special activities such as art, music, and exercising• Parents and caregivers shall not enter the facility, except for the time strictly necessary to drop off and pick up children
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