

AMENDED ORDER

WHEREAS, in December 2019, medical professional detected a novel coronavirus, now designated as “SARS-CoV-2,” which causes a disease known as “coronavirus disease 2019,” abbreviated and popularly known as “COVID-19”; and

WHEREAS, on January 30, 2020, the World Health Organization Director General declared an outbreak of COVID-19 as a Public Health Emergency of International Concern, advising countries to prepare for containment, detection, isolation and case management, contact tracing and prevention of onward spread of the disease; and

WHEREAS, on March 11, 2020, the World Health Organization Director General characterized COVID-19 as a pandemic; and

WHEREAS, on March 13, 2020, the President of the United States declared the COVID-19 outbreak a national emergency; and

WHEREAS, on March 13, 2020, the Governor of the State of Missouri declared the COVID-19 outbreak a state emergency; and

WHEREAS, on March 16, 2020, the President of the United States issued guidelines encouraging the public for the next fifteen days to avoid social gatherings in groups of more than ten people and to avoid eating or drinking at bars, restaurants, and food courts and instead use drive-thru, pickup, or delivery options; and

WHEREAS, on March 18, 2020, the Mayor declared a civil emergency because of the threat COVID-19 poses to the public health; and

WHEREAS, on March 18, 2020, City Council passed Ordinance 2020-002 prohibiting public gatherings of 50 or more persons with certain exceptions, and authorizing the Mayor, after consultation with city, county, and state officials, to issue an order amending which public gatherings are prohibited if in his judgment the prohibition should be amended to protect public health; and

WHEREAS, on March 21, 2020, the Governor of the State of Missouri directed the Missouri Department of Health & Senior Services Director to require social distancing statewide, specifically stating that every person in the State of Missouri shall avoid social gatherings of more than ten (10) people and avoid eating or drinking at bars, restaurants, and food courts and instead use drive-thru, pickup, or delivery options; and

WHEREAS, on March 24, 2020, the Mayor issued an order related to the COVID-19 illness, modifying event gathering numbers and types in the City of Joplin; and

WHEREAS, COVID-19 is spread person to person through direct or close proximate contact and presents an imminent threat of widespread illness; and

WHEREAS, as of March 26, 2020, the Joplin Health Department confirmed 2 cases in the Joplin metro area, including possible community spread, of the COVID-19 illness in Joplin, Missouri; and

WHEREAS, the Director of Health in concert with other regional health directors recommends further steps be taken to limit the community spread of COVID-19; and

WHEREAS, after consultation with city, county, and state officials, it is my judgment that the prohibition adopted in Ordinance 2020-041 should be amended to protect the public health.

NOW THEREFORE, I, GARY L. SHAW, MAYOR OF THE CITY OF JOPLIN, DO HEREBY PROCLAIM AND ORDER, that:

I. Section One: Stay at Home Order

- A. Individuals may leave their residences or place of rest only to perform “Essential Activities,” as defined below. People at high risk of severe illness from COVID-19 are urged to stay in their residence or place of rest except as necessary to seek medical care and to obtain provision of essential life items. All individuals shall exercise social distancing requirements at all times.

II. Section Two: Non-Essential Business and Other Non-Essential Operations Must Cease

- A. All businesses and other operations in the City, except as defined below or exempted by force of law or Order, are required to cease all in-person operations, except for Minimum Basic Operations, as defined below. Non-essential businesses and other operations may continue operations consisting exclusively of employees, contractors, or other agents of businesses performing activities at their own residences or places of rest. All essential business activities shall carry out to the greatest degree possibly Centers for Disease Control (“CDC”) recommended social distancing guidelines. Essential businesses may perform only those activities defined as an essential business and may not perform non-essential business activities. This Order shall not apply to government agencies.

III. Section Three: Definitions and Exemptions

- A. Definitions. For purposes of this section, the following terms will have the meaning ascribed to them:

- 1. “Essential Activities,” shall mean:

- i. To engage in activities or perform tasks essential to their health and safety, or to the health and safety of their family or household members (including, but not limited to, pets), or close personal acquaintances, such as, by way of example only and without limitation, obtaining medical supplies or medication, visiting a

health care professional, or obtaining supplies they need to work from home;

- ii. To obtain necessary services or supplies for themselves and their family or household members, or close personal acquaintances, or to deliver those services or supplies to others, such as, by way of example only and without limitation, canned food, dry goods, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, and any other household consumer products, and products necessary to maintain the safety, sanitation, and essential operation of residences;
 - iii. To engage in outdoor activity, provided the individuals comply with Social Distancing Requirements as defined in this Section, such as, by way of example and without limitation, biking, walking, hiking, or running;
 - iv. To perform work providing essential products and services at an Essential Business or to otherwise carry out activities specifically permitted in this Order, including Minimum Basic Operations, as defined below, at Non-Essential Businesses; and
 - v. To care for a family member, close personal acquaintance, or pet in another household.
 - vi. Churches and other places of worship may be open for solitary worship with social distancing requirements not to exceed 10 or more persons. Virtual services are encouraged.
2. “Essential Businesses” means any for-profit, non-profit, or educational entities, regardless its corporate or entity structure, to the extent that a substantial element of its daily operations is included in the following activities:
- i. Essential Infrastructure and Healthcare Operations;
 - ii. Pharmacies;
 - iii. Veterinary care and all healthcare services provided to animals;
 - iv. Grocery stores, farmers’ markets, farm and produce stands, markets, food banks, convenience stores, and other establishments engaged in the retail sale of canned food, dry goods, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, and any other household consumer products (such as cleaning and personal care products). This includes stores that sell groceries and also sell other non-grocery products, and products necessary to maintaining the

- safety, sanitation, and essential operation of residences and persons;
- v. Food cultivation, including farming, livestock, and fishing;
 - vi. Human and animal food processing facility workers;
 - vii. Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals;
 - viii. Communications infrastructure support and maintenance, including storefronts that sell or repair communication devices and media services, including radio, television, and print;
 - ix. Information technology development, management, support, and security, including client service centers;
 - x. Newspapers, television, radio, and other media services;
 - xi. Gas stations, auto-supply, auto-repair, bicycle-supply, bicycle-repair, and related facilities;
 - xii. Banks and related financial institutions;
 - xiii. Building supply and hardware stores;
 - xiv. Plumbers, electricians, exterminators, cleaning services and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, Essential Activities, and Essential Businesses;
 - xv. Businesses providing mailing and shipping services, including post office boxes;
 - xvi. Educational institutions—including public and private K-12 schools, colleges, and universities—for purposes of facilitating distance learning or performing essential functions related to distance learning and provision of other services related student welfare, including but not limited to food provision and delivery, provided that social distancing of six-feet per person is maintained to the greatest extent possible;
 - xvii. Laundromats, dry cleaners, and laundry service providers;
 - xviii. Railroads and rail systems;

- xix. Restaurants and other facilities that prepare and serve food and drink, but only for delivery or carry out. Schools and other entities that typically provide free food services to students or members of the public may continue to do so under this Order on the condition that the food is provided to students or members of the public on a pick-up and takeaway basis only. Schools and other entities that provide food services under this exemption shall not permit the food or drink to be consumed at the site where it is provided, or at any other gathering site;
- xx. Businesses that supply products needed for people to work from home;
- xxi. Businesses that supply other essential businesses with the support or supplies necessary to operate;
- xxii. Businesses that ship or deliver groceries, food, goods or services directly to residences;
- xxiii. Airlines, taxis, truck drivers, and other private transportation and logistics providers providing transportation and logistics services necessary for Essential Activities and other purposes expressly authorized in this Order, as well as transportation and logistics maintenance services such as mechanics necessary to keep transportation and logistics services operational;
- xxiv. Home-based care for seniors, adults, or children;
- xxv. Residential facilities and shelters for seniors, adults, and children;
- xxvi. Professional services, such as legal services, accounting services, insurance services, real estate services (including appraisal, inspection, mortgage and title services) or financial services, when necessary to assist in compliance with legally mandated activities, a fiduciary duty, a duty to the person's client or an ethical obligation;
- xxvii. Childcare facilities providing services that enable employees exempted in this Order to work as permitted. To the extent possible, childcare facilities should operate under the following conditions:
 - a. Childcare should be carried out in stable groups, preferably with 10 or fewer ("stable" means that the same 10 or fewer children are in the same group each day);
 - b. Children should not change from one group to another;

- c. If more than one group of children is cared for at one facility, each group should be in a separate room. Groups should not mix with each other; and
 - d. Childcare providers should remain solely with one group of children.
- xxviii. Hazardous materials handling and cleanup;
- xxvi. Hotels, motels, and bed and breakfasts, provided that they may not offer dining-in services;
- xxx. Lawn and landscaping services and grass, weed, and vegetation removal;
- xxxi. Religious activity to support distance and/or virtual services with social distancing requirements not to exceed 10 or more persons; and
- xxxii. Mortuary services, including funeral homes, crematoriums, and cemetery workers, except that not more than 10 persons at a time shall be allowed into a funeral, visitation, or wake.
3. “Essential Infrastructure,” shall mean to include, but not be limited to, public works, commercial, and residential construction and repair, airport operations, water, sewer, gas, electrical, oil refining, railroad and rail systems, roads and highways, public transportation, solid waste collection and removal, internet, and telecommunications systems (including the provision of essential infrastructure for computing services, business infrastructure, communications, and web-based services), provided that they carry out those services or that work in compliance with Social Distancing Requirements as defined this Section, to the extent possible.
4. “Healthcare Operations” shall include hospitals, clinics, dentists, pharmacies, pharmaceutical and biotechnology companies, other healthcare facilities, healthcare suppliers, home healthcare services providers, mental health providers, or any related and/or ancillary healthcare services, including source plasma and blood donation. “Healthcare Operations” also includes veterinary care and all healthcare services provided to animals. This exemption shall be construed broadly to avoid any impacts to the delivery of healthcare, broadly defined. “Healthcare Operations” does not include fitness and exercise gyms and similar facilities.
5. “Minimum Basic Operations” of otherwise non-essential businesses includes the following, provided that employees comply with Social Distancing Requirements as defined in this Section, to the extent possible,

while carrying out such operations:

- i. The minimum necessary activities to maintain the value of the business's inventory and facilities, ensure security, process payroll and employee benefits, or for related functions; and
 - ii. The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences, place of rest, or elsewhere.
6. "Social Distancing Requirements" includes maintaining at least six-foot social distancing from other individuals, washing hands with soap and water for at least twenty seconds as frequently as possible or using hand sanitizer, regularly cleaning high-touch surfaces, and not shaking hands.
- B. Regulated Activities. To the fullest extent allowed by law, the following restrictions are imposed:
1. Individuals may leave their residence or place of rest only to undertake Essential Activities or to provide any services or perform any work necessary to the operations and maintenance of Essential Business, Essential Infrastructure, Healthcare Operations, Minimum Basic Operations, or other enumerated exempted categories as prescribed by City Order or other prevailing law.
 2. Individuals at high risk of severe illness from COVID-19 and those who are sick are urged to stay in their residence except as necessary to seek medical care.
- C. Exemptions. All first responders, emergency management personnel, emergency dispatchers, court personnel, law enforcement personnel, and school personnel operating at the direction of administrator designation, and others working for or to support Essential Businesses are categorically exempt from this Order. Further, nothing in this Order shall prohibit any individual from performing or accessing "Essential Governmental Functions." Essential Governmental Functions means all services needed to ensure the continuing operation of any government agencies, including schools, and provide for the health, safety and welfare of the public. All Essential Governmental Functions should be performed in compliance with Social Distancing Requirements as defined this Section, to the extent possible.

IV. Section Four. School Operations.

- A. For purposes of this section, "School Operations" means any institution of elementary or secondary education, including but not limited to public, chartered, private, or parochial institutions. School Operations does not include a requirement that school buildings be closed if needed to house individuals, distribute food or

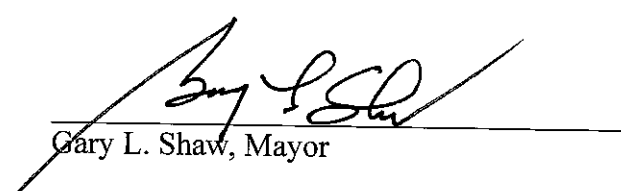
clothing, provide medical care or any other services deemed necessary to protect the life and property of Joplin citizens and other critical resources.

- B. That due to unique characteristics and risks associated with transmission dynamics, the likely spread of the disease based on factors of social distancing, the clinical severity of COVID-19, the lack of vaccine or antivirals as treatment options, the crowd density, the inability to ensure social distancing and to prevent close contact among groups, in- person classroom-based School Operations are prohibited from taking place in the City of Joplin, Missouri, during the duration of the Proclamation and this Order, unless School Operations leadership can demonstrate to the satisfaction of the Director of Health that sufficient mitigation plans for infectious diseases are in place.
- C. That the City Manager is directed, in concert with or acting through the Director of Health, to immediately make and adopt rules and regulations for the evaluation of and approval of sufficient mitigation plans for this infectious disease.

V. Section Five. During the duration of the Mayor's proclamation of civil emergency dated March 18, 2020, or any extension thereof, City Council hereby authorizes the Mayor, after consultation with appropriate city, county, and state officials as determined within his discretion, to issue an order amending which public gatherings are prohibited, either in number or in type, if in his judgment the prohibition should be amended to protect public health.

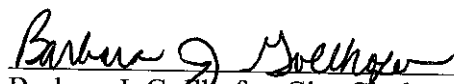
VI. Section Six. Violation of any provision of this Order constitutes an imminent threat, creates an immediate menace to public health, and shall be considered a violation of Section 1-5 of the City's Code of Ordinances.

VII. Section Seven. This Order shall go into effect at 12:01 a.m. on April 6, 2020, and shall expire at 11:59 p.m. on April 19, 2020 unless extended by order of the Mayor with said extensions not to exceed the duration of the effective period of the Mayor's Emergency Government Proclamation of State of Emergency in City of Joplin, State of Missouri dated March 18, 2020, or any extension thereof.



Gary L. Shaw, Mayor

ATTEST:



Barbara J. Gollhofer, City Clerk