

BY ORDER OF THE COUNTY EXECUTIVE

WHEREAS, on March 13, 2020, a state of emergency was declared in St. Charles County relating to the immediate and significant risk posed to the health, safety, and wellbeing of the people of St. Charles County that is presented by COVID-19; and

WHEREAS, the guidance of the Centers for Disease Control and Prevention of the United States Department of Health and Human Services (the "CDC") is that there should be limitations on the size of gatherings and other related requirements; and

WHEREAS, the CDC now recommends that gatherings be limited in size to 50 people or less and that events with fewer than 50 people be permitted only if the organizers adhere to guidelines for protecting vulnerable populations, hand hygiene, and social distancing; and

WHEREAS, to limit the spread of COVID-19, to protect the public health, and to provide essential protections to the citizens of St. Charles County, it is reasonable and necessary to impose limited and temporary restrictions on the use of certain places of public accommodation; and

WHEREAS, the CDC's guidance dated March 15, 2020 "is not intended to supersede the advice of local public health officials"; and

WHEREAS, to prevent widespread transmission of COVID-19, citizens are advised to stay home as much as possible and to avoid crowds; and

WHEREAS, to minimize the morbidity and mortality caused by COVID-19, citizens are asked to assist their compatriots who are most vulnerable to this disease by helping to keep them safe and supplied in their homes, by ensuring they have the necessities they need to get through this pandemic period; and

WHEREAS, an invocation of the provisions of Chapter 44 of the Revised Statutes of Missouri, is required to ensure the protection of the safety and welfare of the citizens of Missouri and St. Charles County;

NOW, THEREFORE, I, STEVE EHLMANN, COUNTY EXECUTIVE OF ST. CHARLES COUNTY, MISSOURI, by virtue of the authority vested in me by the Constitution and the Laws of the State of Missouri, and the Charter and Ordinances of the County of St. Charles, do hereby amend the Emergency Order entered on March 13, 2020 as follows:

1. Effective immediately, all places of public accommodation shall institute appropriate health and safety protections including social distancing techniques (*e.g.*, requiring people to be at least six feet apart; reducing the number of employees, customers, or other people present; reducing face-to-face contact; using phone calls, virtual meetings, and drop-offs/curbside pickups rather than in-person contact).

2. All of the following places of public accommodation are subject to the following restrictions on use and occupancy by members of the public:

a. Restaurants, food establishments, food courts, cafes, coffeehouses, and other places of public accommodation offering food or beverage shall not provide for, or allow, on-premises consumption; and

b. Bars, taverns, brew pubs, breweries, microbreweries, distilleries, wineries, tasting rooms, special licensees, clubs, and other places of public accommodation offering alcoholic beverages shall not provide for, or allow, on-premises consumption.

3. Every place of public accommodation described in Paragraph 2 or the subparagraphs contained therein, is encouraged to offer food and beverage service to the public using delivery service, window service, walk-up service, drive-through service, or drive-up service, so long as every such person involved implements appropriate precautions to mitigate the potential transmission of COVID-19, including social distancing techniques. In offering food or beverage service, every place of public accommodation described in Paragraph 2 or the subparagraphs contained therein, may permit up to 10 members of the public at one time in the place of public accommodation for the purpose of picking up their food or beverage orders, so long as any such member of the public is at least six feet apart from other people while on premises to the extent possible. Unless otherwise ordered by the Director of the Department of Public Health, St. Charles County shall not enforce any provision of an ordinance, permit, or other restriction that would, as applied to the specific circumstances, prohibit an existing restaurant or bar from providing delivery service, window service, walk-up service, drive-through service, or drive-up service during the state of emergency.

4. Paragraph 2 of this Executive Order shall not apply to any of the following:

a. places of public accommodation that offer food and beverage service that is not for on-premises consumption (*e.g.*, the sale of food or beverages at grocery stores, markets, convenience stores, pharmacies, drug stores, and food pantries), except that any portion of the premises that is available for on-premises consumption of food or beverage shall comply with Paragraphs 1 and 2 of this Executive Order; and

b. health care facilities, mental health facilities, residential care facilities, congregate care facilities, adult detention facilities and juvenile justice facilities; and

c. crisis shelters or similar institutions.

5. Nothing in this Executive Order shall prohibit an employee, contractor, vendor, or supplier of a place of public accommodation from entering, exiting, using, or occupying that place of public accommodation in their professional capacity.

6. For purposes of this order, “place of public accommodation” means a business or an educational, refreshment, entertainment, or recreation facility, or an institution of any kind, whether licensed or not, whose goods, services, facilities, privileges, advantages, or accommodations are extended, offered, sold, or otherwise made available to the public. Place of public accommodation includes the facilities of private clubs, including country clubs, golf clubs, sports clubs, athletic clubs, and dining clubs.

7. The Director of the Department of Public Health may promulgate such mandatory or advisory rules, orders, policies, and guidance as is necessary and appropriate to implement this Executive Order or the Executive Order dated March 13, 2020, or the amended Executive Order dated March 16, 2020, to define any of the terms used in either order. Mandatory rules, orders, or policies so promulgated shall have the force of law to the greatest extent permitted by federal, state, and county law upon posting on County website.

8. Unless otherwise set forth herein, this order shall be effective on March 20, 2020, at 12:01 a.m. upon my execution hereof and it shall expire only upon further order.

Signed this 17th day of March, 2020.



Steve Ehlmann, County Executive
St. Charles County, Missouri