

CENTRAL DISTRICT HEALTH DEPARTMENT

DIRECTED HEALTH MEASURE FINDINGS AND ORDER

DHM 2020-1

WHEREAS, Pursuant to NEB. REV. STAT. §§ 71-501 and 71-1626 through 1636, and Resolutions duly adopted by the Counties of Hall, Hamilton and Merrick and the Cities of Aurora, Central City, Grand Island, Wood River, Alda, Clarks, Cairo, Chapman, Doniphan, Giltner, Hampton, Hoardville, Marquette, Palmer, Phillips, Silver Creek, and Stockham (said resolutions individually and collectively referred to herein as "local resolutions"), the Central District Health Department is tasked with promoting the health and welfare of persons within the Counties of Hall, Hamilton and Merrick and the Cities of Aurora, Central City, Grand Island, Wood River, Alda, Clarks, Cairo, Chapman, Doniphan, Giltner, Hampton, Hoardville, Marquette, Palmer Phillips, Silver Creek, and Stockham (hereinafter referred to as the "Political Subdivisions") by preventing the spread of communicable, contagious, and infectious diseases and to minimize disease transmission potential of communicable, contagious, and infectious disease; and,

WHEREAS, The Novel Coronavirus (COVID-19) has the potential to dramatically impact the jurisdictional territories; and,

WHEREAS, Teresa Anderson has been appointed the Health Director of the Central District Health Department; and,

WHEREAS, Pursuant to NEB. REV. STAT. §§ 71-501 and 71-1626 through 1636, and local resolutions, the Central District Health Department ("CDHD") is authorized to promulgate rules and regulations concerning contagious, infectious, and malignant diseases within the boundaries of the Political Subdivisions; and,

WHEREAS, Pursuant to NEB. REV. STAT. §§ 71-501 and 71-1626 through 1636, and local resolutions, the Health Director may issue directed health measures:

1. Directed to identified individuals or defined populations ordering the restriction of, or conditions upon, the movement and activities of people who are not yet ill, but who have been or may have been exposed to an agent of communicable disease, illness, or poisoning and are therefore potentially capable of communicating a disease, illness, or poison;
2. Restricting the movement of all people upon, into, or out from premises to prevent or limit the spread of communicable disease or illness or to prevent or limit public exposure to or spread of biological, chemical, radiological, or nuclear agents; and
3. Directing the separation of people who have a specific communicable disease, illness, or poisoning from healthy people and the restriction of their movement to stop the spread of that disease, illness, or poison.

; and,

WHEREAS, On March 16, 2020, the Centers for Disease Control and Prevention ("CDC") issued Interim Guidance for COVID-19, specifically warning against gatherings of more than ten (10) people; and,

WHEREAS, The CDHD Health Director makes the following findings:

1. Information from the World Health Organization, the CDC, the CDHD, and members of the Central District Health Department medical community indicates that persons within the boundaries of the Political Subdivisions have been and will continue to be exposed to COVID-19.
2. COVID-19 presents a risk of death to any exposed person; COVID 19 exposure will be wide spread and poses a significant risk of harm to people in the general population, and there exists a particular subset of the population more vulnerable to COVID-19 and thus, at increased risk.
3. In assessing the nature of the risk presented, the threat is from a novel infectious agent.
4. Directed Health Measures exist to effectively prevent, limit, or slow the spread of COVID-19 among persons within the boundaries of the Political Subdivisions.
5. A delay in the imposition of Directed Health Measures would significantly jeopardize the ability to prevent or limit the transmission of COVID-19 and pose unacceptable risks to persons within the boundaries of the Political Subdivisions.

THEREFORE, the following Directed Health Measures are hereby ordered with respect to persons and places within the boundaries of the Political Subdivisions effective on March 29, 2020 at 12:01 a.m. and continuing unless renewed, extended, or terminated by subsequent order, and all persons are ordered to comply:

- 1) Gatherings are hereby prohibited. Gatherings are defined as any event or convening that brings together more than ten (10) patrons, customers, or other invitees, excluding staff, in a single room or single space at the same time, including but not limited to, a school, daycare facility (including in home facilities), gymnasium, fitness center, auditorium, stadium, arena, large event conference room, meeting hall, theater, library, or any other confined indoor or confined outdoor space. Gatherings includes but is not limited to weddings, funerals, parades, fairs, festivals, and concerts; or any event or convening with fewer than ten (10) patrons, customers, or other invitees where a minimum distance of six (6) feet between all individuals cannot be maintained in the venue. This includes, but is not limited to, tattoo parlors, massage parlors, barbershops, and beauty/nail salons. If a venue is subdivided into multiple spaces separated by either physical walls or sufficient airspace each subdivided area may contain up to ten (10) patrons, customers, or other invitees, excluding staff.
- 2) Alcohol sales are restricted to carry-out sales and delivery only, to the extent permitted by law. No on-site consumption of alcohol is permitted. This includes bars, taverns, and private clubs, regardless of name or characterization.
- 3) Food and beverage sales at restaurants, bars, taverns, private clubs, and any dine-in establishments are restricted to drive-thru, carry out, and delivery only. This does not apply to and/or exempts food service in health care facilities. Lines for drive-thru and carry out in the above-referenced establishments must have an environment where patrons and staff can maintain six (6) feet of separation between all individuals.
- 4) Daycare and childcare facilities shall operate under the following conditions:

- A. Childcare shall be carried out in groups of ten (10) or fewer children: and, to the extent possible, providers shall maintain the same ten (10) or fewer children daily in each group.
 - B. If more than one group of children is cared for at one facility, each group shall be in a separate room separated by either physical walls or sufficient airspace. Each subdivided area may contain up to ten (10) or fewer children. Groups shall not mix with each other to the extent possible.
 - C. To the extent possible, childcare providers shall remain solely with same group of children daily.
- 5) This Order shall not apply to courts of law, meetings or sessions governing bodies or operations of any political subdivision; medical providers or facilities, pharmacies; public utilities, essential federal, state, county, and city operations, continuity of business operations; logistics/distribution centers; congregate living settings; group homes and residential drug and/or mental health treatment facilities; shelters; public transportation; airport travel; necessary shopping at fuel stations, grocery stores, retail stores, or malls; election offices; polling places on an election day; or to dwelling units housing ten (10) or more related people. However, these excepted settings shall, to the extent possible, observe physical distancing practices by providing for the maintaining of at least six (6) feet of separation between individuals and all other applicable local, state, and federal guidelines for disease prevention and disinfection of surfaces.
- 6) In the event of noncompliance with the terms of these Directed Health Measures, staff from the CDHD will aid the Health Director in inspection and enforcement. If compliance cannot be had in this manner, law enforcement will be required to aid the Health Director in enforcement. Failure to comply with this Order will result in legal action for enforcement by civil and/or criminal remedies.

Persons violating any of the provisions of this Directed Health Measure shall be subject to such fines and imprisonment as provided by law or by local ordinance or resolution. In addition to any penalty sought or obtained under this Order or other applicable law, the City or County Attorney may institute injunctive or other appropriate civil proceedings necessary to obtain compliance or to abate any nuisance resulting from violations of this Order.

Entered on this 28th day of March, 2020.

For the Central District Health Department:



Teresa Anderson, Director
Central District County Health Department

