

PUBLIC HEALTH ORDER

(Lyon County, Kansas modified Phase 3 in
Reference to State of Kansas *Ad Astra: A Plan to Reopen Kansas* and Kansas Executive Order 20-52)

WHEREAS, the novel coronavirus (COVID-19) is a respiratory disease that can result in serious illness or death. It is caused by a new strain of coronavirus not previously identified in humans and easily spread from person to person and that there is currently no approved vaccine or antiviral treatment for this disease;

AND WHEREAS that on March 7, 2020, the first confirmed case occurred in Kansas, and on March 22, 2020, the Lyon County Health Department identified the first two positive cases of COVID-19 in Lyon County;

AND WHEREAS, on March 12, 2020, the State of Kansas declared a state of emergency pursuant to K.S.A. § 48-924 *et seq.*, and on March 15, 2020, the Board of County Commissioners of Lyon County, Kansas issued its disaster resolution;

AND WHEREAS, K.S.A. § 65-126 requires county board of health and or the local health officer to “properly isolate and quarantine infectious or contagious diseases and persons afflicted with or exposed to such diseases as may be necessary to prevent the spread thereof”;

AND WHEREAS, Lyon County currently has 24 active cases, as of July 6, 2020, and is currently the ninth-most affected county in the State;

AND WHEREAS, Lyon County is currently following the State of Kansas *Ad Astra: A Plan to reopen Kansas*, at a modified Phase 3;

AND WHEREAS, pursuant to the authority provided in K.S.A. §§ 65-119; 65-129b; 65-202; and 2020 H.B. 2016; and other applicable laws and regulations, this order is issued to limit further community spread of the aforesaid virus and in preparation and consideration of the upcoming academic year;

NOW THEREFORE, the Lyon County Board of Health, in consultation with the duly-appointed Lyon County Health Officer, have determined this order is necessary to control the potential spread of coronavirus (COVID-19) within Lyon County, Kansas and to supplement all valid orders of the Governor regarding such potential spread.

IT IS THEREFORE ORDERED the following actions shall be taken immediately, and this order supersedes any orders previously issued, with the exception of any continued prohibitions or restrictions ordered herein, and this order supplements all valid orders of the Governor.

Section One: Adoption of Lyon County-modified Phase Three of the State of Kansas *Ad Astra: A Plan to Reopen Kansas*.

A. Guidance for Individuals

The Lyon County Board of Health hereby adopts the following guidance for individuals.

Masks: Individuals are strongly recommended to wear masks in public settings. **Outdoor Activities:** When in public (e.g., parks, outdoor recreation areas, shopping areas), individuals (not including individuals who reside together) should maintain 6 feet of distance from others with only infrequent or incidental moments of closer proximity.

- a. As used in this public health order, the word “mask” is defined as: a covering of the nose and mouth that is secured to the head with ties, straps, or loops over the ears or is simply wrapped around the lower face. A mask or other face covering can be made of a variety of synthetic and natural fabrics, including cotton, silk, or linen. Ideally, a mask or other face covering has two or more layers. A mask or other face covering may be factory-made, sewn by hand, or can be improvised from household items such as scarfs, bandanas, t-shirts, sweatshirts, or towels.

Social Gatherings: Avoid socializing in person with groups of more than 45 individuals in both indoor and outdoor settings, especially in circumstances that do not allow for a physical distance of 6 feet or more between individuals or groups with only infrequent or incidental moments of closer proximity (e.g. , receptions, trade shows).

High-Risk Individuals (who are defined as those with underlying medical conditions, including, chronic lung disease, asthma, heart conditions, severe obesity, chronic kidney disease, liver disease, or otherwise immunocompromised) may resume public interactions but should practice physical distancing and minimize exposure to large social settings when precautionary measures may be difficult.

Travel: Engage in nonessential travel but follow KDHE travel and quarantine guidelines for travel to high-risk areas.

B. Social Distancing

1. People should socially distance from one another.

For the purposes of this order, “social distancing” is defined as follows: maintaining at least six-foot physical distance from every other person (not including those persons living with you) present at a location for a duration of longer than ten minutes, washing hands with soap and water for at least twenty seconds as frequently as possible (or using hand sanitizer), covering coughs or sneezes (into the sleeve or elbow, not into the hands), regularly cleaning high-touch surfaces, and not shaking hands.

C. Public or Mass Gatherings

1. Public or Mass Gatherings of more than 45 individuals are prohibited.
2. Large venues of more than 2000 person capacity shall remain closed.
3. Festivals, carnivals and parades are prohibited.

For the purposes of this order the phrase “public or mass gathering” is defined as any planned or spontaneous, public or private event, or convening, in which individuals are in one location and are unable to maintain a 6-foot distance between individuals (not including individuals who reside together or are family) for periods longer than ten minutes, excluding athletic, governmental or educational events.

Section Two:

A. BUSINESS RESTRICTIONS.

1. All businesses and locations are required to take proactive measures to ensure compliance with Recommended Business Practices as published by the Centers for Disease Control and industry-

specific guidance by trade groups. Nothing in this order shall be interpreted to require that any business or location open if they choose not to.

B. PROTECTIONS FOR RESIDENTS OF LONG-TERM CARE FACILITIES.

1. A long-term care facility must report the presence of a COVID-19-affected resident to their local health department within 24 hours of identification.
2. A long-term care facility must transfer a COVID-19-affected resident who is medically unstable to a hospital for evaluation.
3. A long-term care facility should prohibit all visitors until further order of the Lyon County Board of Health or the Health Officer.

For the purposes of this order "Long-term care facility" means a nursing home, home for the aged, adult foster care facility, or assisted living facility.

Section Three:

Enforcement of the provisions of this order shall be under K.S.A. §§ 65-129b *et seq.*, as amended.

Section Four:

This order is effective upon passage and signing and shall remain in effect until September, 18, 2020, or until amended, superseded, or rescinded by the Board of County Commissioners of Lyon County, Kansas, sitting as the Board of Health.

IT IS SO ORDERED.

DATED THIS 9TH DAY OF JULY, 2020.

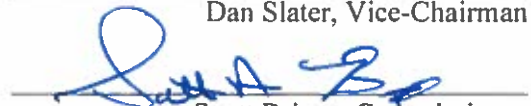
SITTING AS THE LYON COUNTY BOARD OF HEALTH PURSUANT TO K.S.A. § 65-201

THE BOARD OF COUNTY COMMISSIONERS
OF LYON COUNTY, KANSAS



Rollie Martin, Chairman


Dan Slater, Vice-Chairman



Scott Briggs, Commissioner



ATTEST:


Sammy Vopat, County Clerk

