

**COUNTY EXECUTIVE ORDER NO. ____
JEFFERSON COUNTY, MISSOURI**

&

**HEALTH DIRECTOR OF JEFFERSON COUNTY ORDER NO. ____
JEFFERSON COUNTY, MISSOURI**

1 **WHEREAS**, the novel coronavirus disease (COVID-19) is a highly infectious and
2 dangerous disease that on March 11, 2020 was declared by the World Health Organization
3 to be a pandemic; and

4 **WHEREAS**, due to the COVID-19 pandemic there have been declarations of
5 emergency enacted by the President of the United States and the Governor of the State of
6 Missouri; and

7 **WHEREAS**, the State of Missouri Department of Health and Senior Services
8 (“DHSS”) issued a Public Health Warning on November 19, 2020 advising that the United
9 States is experiencing an extreme outbreak of COVID-19; and

10 **WHEREAS**, DHSS’ Public Warning advised that as people move from fall into
11 the winter months, respiratory illnesses spread more rapidly as people move indoors and
12 environmental conditions change; and

13 **WHEREAS**, DHSS is warning that if we do not slow the spread of the virus, we
14 risk having our health care systems overwhelmed by COVID-19 patients and that this poses
15 a significant risk not only to those suffering from COVID-19, our first responders, and
16 those working in our healthcare systems, but to anyone requiring health care support,

1 including people requiring emergency services and ICU access from car accidents to
2 treatments of serious health conditions such as cancer; and

3 **WHEREAS**, due to extreme COVID-19 risks, the State of Missouri has issued its
4 Public Health Warning to set expectations for all individuals living and/or working in
5 Missouri and for local jurisdictions; and

6 **WHEREAS**, on November 19, 2020, Governor Parsons issued Executive Order
7 20-19, extending the state of emergency in Missouri through March 31, 2021, and issued
8 community-level guidance to all counties in the State of Missouri;

9 **WHEREAS**, the spread of COVID-19 will continue to grow at an exponential rate
10 for the foreseeable future unless additional measures are implemented to reduce the spread
11 of the disease in Jefferson County, Missouri; and

12 **WHEREAS**, exponential spread of the disease has the potential to overwhelm the
13 community's medical resources; and

14 **WHEREAS**, due to the escalating spread of the COVID-19 pandemic it necessary
15 for the immediate preservation of public health, safety and welfare of the residents of
16 Jefferson County to take steps to mitigate the spread of the disease; and

17 **WHEREAS**, the key transmission method for the COVID-19 virus is through
18 respiratory droplets that people expel when they breathe, speak, cough, or sneeze; and

19 **WHEREAS**, people can be infected with the COVID-19 virus and be
20 asymptomatic or pre-symptomatic but still be contagious to others; and

1 **WHEREAS**, numerous epidemiologists have found that widespread use of a face
2 mask is necessary to prevent the more rapid spread of the COVID-19 virus, and thereby
3 necessary for the safety and health of the County’s citizens, residents, and visitors; and

4 **WHEREAS**, the United States Centers for Disease Control and Prevention has
5 recommended that members of the public, when they need to interact with others outside
6 the home, and especially in indoor settings, should cover the mouth and nose to prevent
7 inadvertently spreading COVID-19; and

8 **WHEREAS**, the wearing of a mask by patrons and employees to the greatest extent
9 possible may allow businesses to remain open while protecting the health and safety of the
10 public and employees and keeping the local economy strong during the period in which the
11 disease is being brought under control in the community; and

12 **WHEREAS**, by the authority vested by and through The Constitution of the State
13 of Missouri, Sections 44.080 and 192.300 RSMo (2020) et seq.; 19 CSR 20-20.020; 19 20-
14 20.050(1); and 19 CSR 20-20.010(24); and, the Charter of Jefferson County, Missouri, The
15 County Executive along with the Board of the Jefferson County Health Center through the
16 Health Director, in making and promulgating orders, rules or regulations, respectively as
17 will tend to enhance the public health and prevent the entrance of infectious, contagious,
18 communicable or dangerous diseases into Jefferson County, Missouri, and after advice of
19 State and regional health officials and other regional leaders, hereby enter this Joint Order;
20 and

21

1 **WHEREAS**, after the promulgation and adoption of such orders, rules or
2 regulations by the County Executive and the Board of the Jefferson County Health Center
3 through the Health Director shall make and enter an Order or record declaring such orders,
4 rules or regulations to be printed and available for distribution to the public in the Office
5 of the County Clerk, and shall require a copy of such order to be published in some
6 newspaper in the County in three successive weeks, not later than thirty days after the entry
7 of such order, rule or regulation; and

8 **WHEREAS**, in response to the Public Health Warning issued by DHSS, the
9 County Executive and the Board of the Jefferson County Health Center find that wearing
10 a Face Mask is an appropriate and necessary method of reducing the spread of COVID-19
11 and will be the least restrictive means imposed with the greatest benefit to reduce
12 community spread; and

13 **WHEREAS**, in response to the Public Health Warning, the Board of Jefferson
14 County Health Center has met and conferred with its Director and affirms that additional
15 action by the Jefferson County Health Center is needed in order to combat the spread of
16 COVID-19 among the residents of Jefferson County, Missouri, such action to include those
17 promulgated in this Joint Order.

18 **THEREFORE, IT IS AND SHALL HEREBY BE ORDERED** that the County
19 Executive of Jefferson County, Missouri and the Health Director of the Jefferson County
20 Health Center through the Health Director make and reaffirms the findings set forth above
21 and incorporates the same by reference as if fully set forth herein; and

1 **IT IS FURTHER ORDERED**, that, as used herein, a “Face Mask” means a
2 covering made of cloth, fabric, or other soft or permeable material, without holes, that
3 covers only the nose and mouth and surrounding areas of the lower face. A covering that
4 hides or obscures the wearer's eyes or forehead is not a Face Mask. A Face Mask may be
5 factory-made, or may be handmade and improvised from ordinary household materials.

6 **IT IS FURTHER ORDERED**, that any mask that incorporates a one-way valve
7 (typically a raised plastic cylinder about the size of a quarter on the front or side of the
8 mask) that is designed to facilitate easy exhaling allows droplets to be released from the
9 mask, putting others nearby at risk, and therefore these masks are not a Face Mask under
10 this Order and must not be used to comply with this Order’s requirements.

11 **IT IS FURTHER ORDERED**, that, except as otherwise provided in this Order all
12 persons age ten years old and above who are present within the jurisdiction of Jefferson
13 County, Missouri are required to wear a clean Face Mask any time they are, or will be, in
14 contact with other people in public spaces who are not household members.

15 **IT IS FURTHER ORDERED**, that any time an employee or staff person is
16 required to wear a Face Mask pursuant to this Order, the employer shall make face masks
17 available in sufficient quantity to assure each employee can wear a clean Face Mask at all
18 times.

19 **IT IS FURTHER ORDERED** that a person may remove their Face Mask where
20 otherwise required under the following circumstances:

21

|

- 1 1. While outdoors when able to maintain a distance of at least six feet from
2 others;
- 3 2. While exercising outdoors or while exercising indoors when able to
4 maintain a distance of at least six feet from others;
- 5 3. When engaged in a sporting activity;
- 6 4. While at home; provided however, the wearing of a Face Mask shall be
7 required in all common areas of any multifamily structure;
- 8 5. When in a vehicle;
- 9 6. While eating or drinking in the dining area of a restaurant or other
10 establishment that offers food or beverage service, provided that person is
11 able to maintain a distance of at least six feet from persons seated at other
12 tables, and provided this distance restriction is enforced by the restaurant or
13 other establishment;
- 14 7. When an individual has a medical condition, mental health condition or
15 disability that prevents wearing a Face Mask;
- 16 8. When any party to a communication is deaf or hard of hearing and not
17 wearing a Face Mask is essential to communication;
- 18 9. While obtaining a service that requires temporary removal of the Face
19 Mask, such as dental examinations;
- 20 10. When necessary to confirm the individual's identity;
- 21 11. When federal or state law prohibits wearing a Face Mask or requires the
22 removal of a Face Mask;

- 1 12. When requested by a law enforcement officer;
- 2 13. When requested by a medical provider, including emergency response
- 3 personnel;

4 **IT IS FURTHER ORDERED**, that should this mask requirement not result in the

5 decrease in number of positive COVID-19 patients within twenty one (21) days of

6 implementation, further restrictions may be considered by the County Executive and the

7 Board of the Jefferson County Health Center, including but not limited to restricting the

8 number of participants in social gatherings, restricting access to restaurants and bars,

9 restricting the number of occupants in a retail establishment, and further measures

10 recommended by the Governor’s Executive Order 20-19. In all other respects the County

11 Executive and the Board of the Jefferson County Health Center and its Director urge

12 everyone to follow the Governor and/or DHSS’ recommendations in their most recent

13 health directives and further urge everyone to be vigilant on social distancing and good

14 hygiene.

15 **IT IS FURTHER ORDERED**, that if any provision, section or portion of this

16 Joint Order is found or determined by a court for any reason to be invalid or unenforceable,

17 those provisions shall be severed from the remaining portions of this Joint Order, which

18 shall remain effective in the absence of any invalid or unenforceable provisions.

19 **IT IS FURTHER ORDERED** that this Joint Order shall be in effect for thirty (30)

20 days from its effective date from and after **12:01 a.m. on November 2, 2020 and it shall**

21 **remain in effect until 12:00 noon on December 27, 2020.**

1 **IT IS FURTHER ORDRED**, that a copy of this Joint Order be provided to Ken
2 Waller, County Clerk, and that a copy of this order be printed in the Leader for three
3 successive weeks commencing immediately upon the adoption of this Order.

County Executive, Jefferson County Missouri

Date

Director, Jefferson County Health Center

Date

PROPOSED DRAFT