

FAQs on Nov. 13 Board of Public Health order

Q. What action did Johnson County take on Nov. 13?

A. The Johnson County Board of County Commissioners held a special meeting to discuss the COVID-19 pandemic. After nearly six hours of discussion about the high levels of virus transmission in the community and the impact on schools and hospitals, the BOCC issued a Board of Public Health order aimed at slowing the spread of the virus. The order goes into effect at 12:01 a.m., Monday, Nov. 16. The order is [available at this link](#).

Q. Why is this action being taken?

A. The county and Kansas City metro area are experiencing exponential growth in positive COVID-19 cases. As we enter the holiday season, this matter is only expected to get worse. The health care system is now strained – due to increased COVID-19 and other admissions and limited staffing. This is expected to get worse unless actions are taken to curb the spread of the virus in the community. Schools are also experiencing the pressure of staffing issues due to the current surge of COVID-19 cases. Johnson County is taking this action to limit community spread to a level that will allow hospitals to adequately address emergent health care needs.

Q. When does this go into effect?

A. The health order goes into effect at 12:01 a.m., on Monday, Nov. 16, 2020.

Q. How long will this order last?

A. The order will remain in effect through 11:59 p.m., on Sunday, Jan. 31, 2021, unless it is amended, revoked or replaced.

Q. What is in this order?

A. Overall, this order has provisions about the types of public spaces that will require 6 feet of physical distancing and limits mass gathering to 50 people or 50 percent of capacity allowed by a building's fire codes (whichever is less). The order prohibits certain types of large-scale events and contains provisions for restaurants and bars, recreational and youth organized sports, and fitness centers/health clubs.

Q. What does the order say about physical distancing?

A. Individuals within a public space must maintain 6 feet of social distancing from other individuals, unless they live in the same household. Businesses and organizations must maintain 6 feet of physical distancing within their establishments.

Public spaces do not include private residences or private offices/workplaces which aren't open to the public or visitors. Other public spaces deemed as exceptions to the physical distancing provision include:

- Businesses/organizations who provide services that require staff to be within 6 feet of their clients (such as nail salons, barber shops, medical service providers) provided staff wear face coverings as directed by Governor Kelly's mask order.
- Business with tasks that require employees to work within 6 feet of each other.
- Restaurant or bar tables, where people can sit closer than 6 feet apart. Tables will be limited to 8 individuals and must be at least 6 feet from each other. Congregating in bar or waiting areas is prohibited.

- Individuals who have at least one physical barrier at least 3 feet high between them.

Q. What does this order say about mass gatherings?

A. Mass gatherings within specific enclosed, confined, or designated public spaces, whether indoors or outdoors, are limited to 50 total individuals or 50 percent of the capacity permitted by the building's fire code, whichever is less. The mass gathering provision pertains to a distinct building or distinct room in a building.

Public spaces exempt from the mass gathering provisions include restaurants, bars/nightclubs, fitness centers and health clubs, healthcare organizations, organizations providing funeral and burial services, retail stores, religious institutions/activities, polling places, licensed childcare facilities, schools and school activities and court facilities.

Q. How does this order effect restaurants and bars?

A. All restaurants, bars and nightclubs must close by 12 a.m. (midnight) and remain closed for four hours. Carryout, drive-through and delivery is permitted after 12 a.m. Restaurant or bar tables will be limited to 8 individuals and must be at least 6 feet from each other. Congregating in bar or waiting areas is prohibited.

Q. What are the provisions for personal service businesses?

A. Nail salons, barber shops, hair salons, tattoo parlors, dentists and other personal service businesses must require pre-scheduled appointments or online/text message check-ins – no walk-ins. Staff must wear face coverings as directed by Governor Kelly's mask order.

Q. What are the provisions for fitness centers and health clubs?

A. Fitness centers and health clubs must close locker rooms except for portions used as restroom facilities.

Q. What about large events, festivals, graduations, weddings, etc.?

A. Outdoor and indoor entertainment venues with capacities in excess of 2,000 people may not host events. Businesses and organizations seeking to hold an event such as a conference, wedding or other mass gathering in excess of the limit must submit a plan to the Johnson County Department of Health and Environment specifying how they will ensure public safety during operations. Fairs, festivals, carnivals, parades and similar events are prohibited. Plans may be emailed to submitplan@jocogov.org.

Q. Does this impact youth sports?

A. All recreational and youth organized sports tournaments, games, practices and related events may still occur, but attendance is limited to a maximum of two attendees per participant. All physical distancing and mass gathering provisions in the order must be followed. Collegiate sporting events and sporting events governed by Kansas State High School Activities Association and/or school boards are not subject to these provisions but are strongly encouraged to abide by them at a minimum.

Whether athletes need to wear a mask depends upon the activity. Based on the Governor's mask order, if athletes can maintain a 6-foot distance from others with only infrequent or incidental moments of closer proximity, they would not be required to wear a mask. If athletes would generally not be able to maintain a 6-foot distance from others, they would be required to wear a mask. This doesn't apply to collegiate sports and sporting events governed by the KSHSAA school boards

Q. Does this order impacts schools?

A. Schools are exempt from the order. Johnson County Department of Health and Environment has provided the schools with recommendations for safer school operations. The recommendations are further supported by Kansas State Board of Education recommendations and Governor's orders pertaining to mask use and other safety precautions.

Q. Are there other exemptions to this order?

A. There are certain activities where the wearing of masks and face coverings is exempted pursuant to the terms of Executive Order 20-52 where customers may be in the proximity of others for extended periods of time (such as when customers may be eating or drinking), which means such activities present a heightened risk of a person infected with COVID-19 transmitting it to another person. See the exemptions section of the order for a complete list.

Q. Does the significant increase in cases mean the mask mandate is not working?

A. Masks work. Johnson County is not seeing increases in places where masks are used. Schools and personal services businesses are excellent examples. When safety precautions are in place, spread is minimal. It is when masks are not used, especially with individuals in close contact, such as private and public parties, restaurants and bars, that COVID-19 spread cannot be controlled.

Q. Will this order be enforced?

A. Yes, this order is a lawfully issued order pursuant to K.S.A. 65-119(a) and is also a "public health directive" as identified within Section 9 of 2020 Special Session House Bill No. 2016. Individuals and organizations within Johnson County are required to comply with this order.

Q. How do I report violations?

A The county is working on an enforcement plan and as soon as the plan is solidified, we will provide that information.