

PUBLIC HEALTH BOARD ORDER NO. 001-20

At a meeting of the Board of County Commissioners of Johnson County, Kansas (“Board”), sitting as the County Board of Health, conducted on Thursday, March 19, 2020, there came before the Board for consideration the matter of issuing an emergency public health order to mitigate the spread of the Coronavirus (COVID-19) in the County, pursuant to the authority provided in Kansas public health laws.

The Board, acting as the County Board of Health, upon a motion duly made, seconded, and carried adopted the following Order, to-wit:

WHEREAS, COVID-19, a respiratory disease that spreads easily from person to person and may result in serious illness or death, has been confirmed in Kansas and in Johnson County, resulting in serious illness and at least one death to date in Kansas; and

WHEREAS, such conditions endanger health, safety and welfare of persons and property within the border of Johnson County, Kansas; and

WHEREAS, to reduce spread of COVID-19, the United States Centers for Disease Control and Prevention (CDC) and the Kansas Department of Health and Environment (KDHE) recommend implementation of community mitigation strategies to increase containment of the virus, including cancellation of large gatherings and social distancing in smaller gatherings; and

WHEREAS, the Board of County Commissioners has the authority and responsibility to be and act as the County Board of Health, pursuant to Article 2 of Chapter 65 of the Kansas Statutes, and in that capacity is authorized and required, pursuant to K.S.A. 65-119 to restrict public gatherings and to immediately exercise and maintain a supervision over known or suspected cases of any infectious or contagious disease during its continuance, seeing that all such cases are properly cared for and that the provisions of the Kansas public health laws as to isolation, restriction of communication, quarantine and disinfection are duly enforced; and

WHEREAS on the 13th day of March 2020, the Chairman of the Board of County Commissioners of Johnson County, Kansas issued a Disaster Emergency Declaration finding that a disaster had occurred, or the threat thereof was imminent within Johnson County, Kansas as a result of the Coronavirus pandemic (COVID-19) and the confirmed outbreak and person-to-person spread of COVID-19 in the United States, the State of Kansas and Johnson County; and

WHEREAS, the local health officer, Dr. Joseph LeMaster, issued certain public health orders relating to public gatherings, the closing of schools, restaurants and other establishments, pursuant to his authority under Kansas public health laws, including K.S.A. 65-119 and K.S.A. 65-129b; and

WHEREAS, the worldwide outbreak of COVID-19 and the resulting epidemic in Kansas and Johnson County continue to threaten the life and health of our citizens and visitors as well as the economy and remains a public disaster affecting life, health, property and the public peace.

NOW, THEREFORE, BE IT ORDERED by the Board of Commissioners of Johnson County, Kansas, sitting and acting as the County Board of Health, that:

1. All large public gatherings of people in the County are prohibited until 11:59 p.m. April 2, 2020, unless otherwise ordered by the Board or by the local health officer. Large public gatherings are those with more than ten (10) people in attendance or anticipated to attend, both indoor and outdoor, except for governmental and judicial functions, healthcare facilities, and private business operations. A "gathering" does not include normal operations at spaces where persons may be in transit or coming and going individually or in groups of less than ten (10) persons. For all gatherings of people, the health officer strongly encourages everyone to follow the guidance provided by the Centers for Disease Control and Prevention (CDC), and federal, state and local public health officials and private medical providers.

2. All restaurants, dining facilities, bars, taverns, clubs and movie theatres in Johnson County, Kansas are hereby ordered closed to the public effective immediately until 12:01 a.m. on April 1, 2020, except that any such establishment may continue to provide carryout, drive-through and delivery of food and beverages. In all areas, establishments must follow the guidance provided by the Centers for Disease Control and Prevention (CDC), and federal, state and local public health officials for social distancing and infection control measures.

3. Recognizing the rapidly changing nature of the community threats created by the COVID-19 epidemic and the need for quick responses to those threats, the Board of Health hereby delegates to the Chairman of the Board of County Commissioners, in conjunction with the Johnson County Public Health Department and the Johnson County Public Health Officer, the authority to amend, modify or supplement this Order, and to take any actions necessary or advisable, consistent with this Order, to effectively and expeditiously manage the County's and the community's response to the public health threats created by the COVID-19 epidemic. Any such orders shall be deemed to have been issued by this Board.

4. This Order is supplemental to and does not limit or modify any other orders, directives, management or control of the Coronavirus pandemic or other public health matters done by the Johnson County Public Health Department or by the Johnson County Public Health Officer, pursuant to K.S.A. 65-129b or other applicable laws and regulations.

Public Health Board Order No. 001-20 issued this 19th day of March 2020.

BOARD OF HEALTH OF
JOHNSON COUNTY, KANSAS

Ed Eilert, Chairman

ATTEST:

Lynda Sader
Deputy County Clerk

APPROVED AS TO FORM:

F. Lawrence McAulay, Jr.
Assistant County Counselor