



COMMISSION ORDER

STATE OF MISSOURI
County of Franklin

} ss.

Tuesday, March 17, 2020
Order

IN THE MATTER OF ADOPTING LIMITS ON PLACES OF PUBLIC ACCOMMODATION

WHEREAS, on March, 17, 2020 the County Commission of the County of Franklin, Missouri adopted Commission Order 2020-123 declaring a State of Emergency in the County of Franklin, Missouri effective 6:00 p.m. on March 17, 2020 and remaining in effect until 12:00 noon on April 17, 2020; and

WHEREAS, the spread of infectious diseases poses a significant risk to the health, safety and wellbeing of the people of the County of Franklin, Missouri; and

WHEREAS, measures to limit the spread of this virus may place a strain upon the resources of citizens, businesses, municipalities, and the County of Franklin, Missouri; and

WHEREAS, the County Commission of the County of Franklin, Missouri has the authority pursuant to the provisions of state law including, but not limited to, Section 192.300 RSMo. to make and promulgate orders, rules or regulations, respectively as will tend to enhance the public health and prevent the entrance of infectious, contagious, communicable or dangerous diseases into the County of Franklin, Missouri; and

WHEREAS, after the promulgation and adoption of such orders, rules or regulations by the County Commission of the County of Franklin, Missouri the County Commission shall make and enter an order or record declaring such orders, rules or regulations to be printed and available for distribution to the public in the Office of the County Clerk, and shall require a copy of such order to be published in some newspaper in the County in three successive weeks, not later than thirty days after the entry of such order, rule or regulation; and

WHEREAS, to limit the spread of COVID-19, to protect the public health, and to provide essential protections to the people of the County of Franklin, Missouri it is reasonable and necessary to impose limited and temporary restrictions on the use of certain places of public accommodation.

IT IS THEREFORE ORDERED, beginning immediately, all places of public accommodation shall institute appropriate health and safety protections including social distancing techniques (e.g., requiring people to be at least six (6) feet apart; reducing the number of employees, customers, or other people present; reducing face-

to-face contact; using phone calls, virtual meetings, and drop-offs/curbside pickups rather than in-person contact).

IT IS FURTHER ORDERED, beginning at 12:01 A.M. on March 19, 2020, the following places of public accommodation are closed to ingress, egress, use, and occupancy by members of the public:

- a. Restaurants, food establishments, food courts, cafes, coffeehouses, and other places of public accommodation offering food or beverage for on-premises consumption; and
- b. Bars, taverns, brew pubs, breweries, microbreweries, distilleries, wineries, tasting rooms, special licensees, clubs, and other places of public accommodation offering alcoholic beverages for on-premises consumption.

IT IS FURTHER ORDERED, that every place of public accommodation described herein is encouraged to offer food and beverage service to the public using delivery service, window service, walk-up service, drive-through service, or drive-up service, so long as every such person involved implements appropriate precautions to mitigate the potential transmission of COVID-19, including social distancing techniques.

IT IS FURTHER ORDERED, that in offering food or beverage service, every place of public accommodation described herein may permit up to ten (10) members of the public at one time in the place of public accommodation for the purpose of picking up their food or beverage orders, so long as any such member of the public is at least six (6) feet apart from other people while on premises to the extent possible.

IT IS FURTHER ORDERED, that Franklin County shall not enforce any provision of an Order, permit, or other restriction that would, as applied to the specific circumstances, prohibit an existing restaurant or bar from providing delivery service, window service, walk-up service, drive-through service, or drive-up service during the state of emergency.

IT IS FURTHER ORDERED, that this Order does not apply to any of the following:

- a. places of public accommodation that offer food and beverage service that is not for on-premises consumption (*e.g.*, the sale of food or beverages at grocery stores, markets, convenience stores, pharmacies, drug stores, and food pantries), except that any portion of the premises that is available for on-premises consumption of food or beverage shall comply with this Order;
- b. health care facilities, residential care facilities, congregate care facilities, adult detention facilities and juvenile justice facilities; and
- c. crisis shelters or similar institutions

IT IS FURTHER ORDERED, that nothing in this Order shall prohibit an employee, contractor, vendor, or supplier of a place of public accommodation from entering, exiting, using, or occupying that place of public accommodation in their professional capacity.

IT IS FURTHER ORDERED, that for purposes of this Order, “place of public accommodation” means a business or an educational, refreshment, entertainment, or recreation facility, or an institution of any kind, whether licensed or not, whose goods, services, facilities, privileges, advantages, or accommodations are extended, offered, sold, or otherwise made available to the public. Place of public accommodation includes the facilities of private clubs, including country clubs, golf clubs, sports clubs, athletic clubs, and dining clubs.

IT IS FURTHER ORDERED, that this order shall be effective immediately passage and it shall remain in effect until 12:00 noon on April 17, 2020.

IT IS FURTHER ORDERED, that if any part of this Commission Order is invalid for any reason, such invalidity shall not affect the remainder of this Order.

IT IS FURTHER ORDRED, that a copy of this Order be provided to Tim Baker, County Clerk, and that a copy of this order be printed in the Missourian for three successive weeks commencing immediately upon the adoption of this Order.

Presiding Commissioner

Commissioner of 1st District

Commissioner of 2nd District