

Order of the City of Columbia
Director of Public Health and Human Services

2019 Novel Coronavirus ("COVID-19")
Notice and Issuance of Rules and Regulations

Order No. 2020-19

Modified Reopening Plan – Phase 2, Step 3

Facts

1. The United States Center for Disease Control and Prevention has reported the outbreak of a novel (new) coronavirus that was first detected in China and has been spreading rapidly worldwide since approximately December 2019.

2. The virus has been named “SARS-CoV-2” and the disease it causes has been named “coronavirus disease 2019” (“COVID-19”).

3. COVID-19 is considered an infectious, highly contagious communicable and dangerous disease and on March 11, 2020 was declared by the World Health Organization to be a pandemic.

4. On March 13, 2020, the President of the United States declared the COVID-19 outbreak a national emergency and the Governor of Missouri declared a state of emergency in Missouri.

5. As of June 16, 2020, in the United States the SARS-CoV-2 virus has been responsible for over 2.1 million cases of COVID-19 resulting in over 116,000 deaths.

6. The United States Centers for Disease Control and Prevention (“CDC”) has warned against large gatherings of people:

“Large events and mass gatherings can contribute to the spread of COVID-19 in the United States via travelers who attend these events and introduce the virus to new communities. Examples of large events and mass gatherings include conferences, festivals, parades, concerts, sporting events, weddings, and other types of assemblies.”

<https://www.cdc.gov/coronavirus/2019-ncov/community/large-events/mass-gatherings-ready-for-covid-19.html>.

7. In addition, the CDC has urged restriction on the size of any gathering consistent with local conditions.

8. The CDC has raised particular concern about the health and susceptibility of high-risk individuals. <https://www.cdc.gov/coronavirus/2019-ncov/downloads/community-mitigation-strategy.pdf>.

9. COVID-19 has been detected in the State of Missouri and the City of Columbia, with local conditions expected to include an increase of infections consistent

with national trends unless significant containment efforts successfully limit the local spread of the virus.

10. Case investigation and contact tracing conducted by the local health department is an integral part of a multipronged approach to contain the spread of the virus.

11. Ensuring adequate healthcare resources exist within the community to promptly identify, isolate and care for individuals exposed to COVID-19 and respond to any anticipated surge in required healthcare services due to COVID-19 while maintaining adequate care for other patients is critical to the health, safety and well-being of the public.

12. The Health Director, as the Local Health Authority, has issued prior Orders that have resulted in a decline of the number of COVID-19 cases in the City of Columbia and on May 4, 2020 began a slow reopening of the local economy with Order 2020-05, which generally provided for 25% occupancy for businesses while continuing to limit intentional gatherings to 10 persons and requiring social distancing between employees at all establishments.

13. On May 26, 2020 Phase 2 Step 2 of the reopening plan was implemented through Order 2020-06 which generally authorized 50 % occupancy of businesses and increased the size of intentional gatherings to 50 persons.

14. On June 23, 2020 Phase 2 Step 3 of the reopening plan went into effect under Order 2020-07 generally authorizing most businesses to reopen with implementation of social distancing requirements and limiting large gatherings to 100 persons with certain exceptions allowed if the business could provide an operational plan to ensure public safety.

15. The number of identified active COVID-19 cases in Boone County increased from 21 active cases on May 26, 2020 to 231 active cases on July 8, 2020 causing the Director to extend Phase 2 Step 3 of the reopening plan pursuant to Order 2020-08.

16. Based on continued increase of new case rates and a seven (7) day rolling new case rate for the period of July 29, 2020 through August 4, 2020 at 106 cases per 100,000, the Director modified Phase 2 Step 3 of the reopening plan in Order 2020-09 to include the requirement to wear a face mask under certain conditions.

17. The University of Missouri student population began its on campus move-in on August 17, 2020 with in-person classwork resuming on August 24, 2020. Stephens College began in-person classes on August 25, 2020, with residential students returning to campus for move-in and orientation between August 16-24, 2020. Columbia College will begin its move-in and orientation on August 28-30, 2020 with in-person classes beginning on August 31, 2020. The number of students resuming higher education coursework in the City exceeds 30,000.

18. In response to increasing COVID-19 cases in the 18-27 age bracket and increasing hospitalizations in Boone County, the Director entered Order 2020-10 on

August 28, 2020 to establish an operating curfew on bars and restaurants to specifically address the interaction of young adults in locations where the spread of disease through community contact had a greater probability. On September 16, 2020, the Director's Order 2020-11 modified the closing time for bars and restaurants to 10:30 p.m.; however, the continued increase in active cases and hospitalizations caused the Modified Reopening Plan to continue to be renewed in Orders 2020-13 through 2020-18.

19. On November 23, 2020 Boone County hospitals recorded 171 patients hospitalized for COVID-19, the highest number of patients since the beginning of the pandemic; hospitalizations have decreased by 51% from 120 on January 20, 2021 to 59 on February 8, 2021. Boone County hospitals are currently reporting "green" status indicating they are operating within licensed bed capacity and accepting patient transfers from referring hospitals within standard care operating procedures.

20. As of February 5, 2020 there were 16,900 cumulative cases of COVID-19 cases reported in Boone County. The five day rolling average number of new cases has decreased by 61% from January 9, 2021 when it was 137 to 53 on February 7, 2021. As of February 7 there were 461 active cases of COVID-19 in Boone County. With the decline in new cases, Public Health and Human Services has the necessary capacity to initiate timely case investigations and contact tracing.

21. The number of COVID-19 PCR tests administered daily has been trending downward since January 21, 2021. As of February 7, 2021, the positivity rate in Boone County using the CDC method is 8.1%. The de-duplicated positivity rate is 24.7%. The World Health Organization recommends that positivity rates should remain at 5% or lower for at least 14 days before reopening.

22. Boone County is currently providing COVID-19 vaccinations to Phase 1, Tier 1A, Tier 1B and Tier 2 residents. As of February 7, 2021, the Missouri Department of Health and Senior Services reports that 29,762 doses of vaccine have been administered in Boone County with 21,159 being first doses and 8,181 being second doses. This represents 11.9% of the population receiving their first dose. Vaccine demand currently exceeds vaccine supply making it necessary to continue to monitor the effectiveness of the health order in combination with the administration of the vaccine until the vaccine is available to all Boone County residents. .

23. On February 6, 2021, the Missouri Department of Health and Senior Services reported the first identification in a Missouri resident of the COVID-19 variant, B.1.1.7, which was first detected in the United Kingdom in September 2020 and began being reported in the United States in December, 2020. According to the CDC, this particular variant is associated with increased transmissibility, meaning it can spread more quickly. Early reports found no evidence to suggest that this variant has any impact on the severity of disease or vaccine efficacy.

24. At this time the Director finds that while progress has been made with the potential introduction of new variants in Missouri, disease mitigation strategies such as wearing a mask, social distancing, avoiding gatherings, regular handwashing, and staying home when sick continue to be very important for limiting the spread of new infections making it necessary to maintain certain regulations in place to ensure the

capacity of local resources remain adequate to meet the anticipated need while the vaccine production and administration plans continue to be implemented both locally and nationally.

Legal Basis of Rules and Regulations

25. The Columbia/Boone County Public Health and Human Services (PHHS) Director is the “local health authority” as contemplated in 19 CSR 20-20.010 of the Code of State Regulations.

26. Among other authority that may be available under Missouri and United States law, Sec. 11-98 of the City of Columbia Code of Ordinances (“Code”) states:

Whenever the director shall declare that any malignant, infectious or contagious disease is or may become epidemic in the city, or any part thereof, he shall immediately, or as soon thereafter as possible, give notice to that effect to the citizens of the city and the country surrounding the same, and shall also give notice of the rules and regulations adopted by him for the enforcement of quarantine within the city or portion thereof. He shall take such steps and adopt such measures as he may deem necessary to prevent the introduction and spreading of such disease, and to this end he shall have power to quarantine the city against persons coming into or leaving the city during the continuation of such epidemic. Whenever he shall deem it necessary, he shall have the power to forbid and prevent the assembling of congregations of persons within the city and to order and enforce the closing of places of business and amusements.

27. Also, pursuant to 19 CSR 20-20.050, the local health authority is empowered to order quarantines, isolations, and closings of schools and places of public and private assembly in order to protect the public health.

28. The terms of this Order shall apply to all areas within the corporate limits of the City of Columbia, except as otherwise provided herein.

NOW, THEREFORE, based on the foregoing facts and the authority that exists under federal, state and local law, I declare that SARS-CoV-2 and COVID-19 are contagious diseases that are epidemic in the City and hereby extend and modify the regulations previously entered as Order 2020-11 as follows:

Section 1.07 Restaurants and Bars shall be modified to read:

Restaurants and bars serving alcohol are required to close no later than midnight. Restaurants and bars serving alcohol may conduct curb-side and off-premises delivery of food items only after midnight. There shall be no carry-out, curb-side or off-premises delivery of alcoholic beverages after midnight. Restaurants that do not serve alcohol are not required to close at midnight. During operating hours, all such venues are permitted to operate with no occupancy limitations; provided, however, groups of patrons shall be limited to a maximum of ten (10) persons per table and

Social Distancing Requirements between tables/groups of patrons shall be observed. With the exception of carry-out services, there shall be no standing bar, counter or buffet service. All patrons are required to be seated at all times when not entering/exiting the business or visiting a restroom facility. A face mask is required to be worn by any patron not seated at a table. A request for an exception or waiver to the “no standing bar, counter or buffet service” requirement may be approved by the Health Director pursuant to Section 1.18.

Section 1.08 Entertainment Venues (f) shall be modified to read:

(f) All Entertainment Venues are required to close no later than midnight.

Except as modified above, the remaining provisions of Order 2020-11 shall remain in full force and effect as if fully set forth herein.

The rules and regulations set forth herein shall go into effect at noon on Friday, February 12, 2021 and shall **expire on March 4, 2021** at 11:59 p.m. unless extended, rescinded or modified prior to such expiration.

So Ordered.



Stephanie Browning

Director, Columbia/Boone County Department of
Public Health and Human Services

Date: 2.9.2021

