

**JOHNSON COUNTY HEALTH OFFICER
PUBLIC HEALTH ORDER 2020-1**

**COUNTYWIDE VARIANCE ORDER TO THE RESTRICTIONS MANDATED IN
STATEWIDE ORDER #1 (THIRD CONTINUATION, AND MODIFICATION, OF
STATEWIDE PUBLIC HEALTH ORDER CLOSING BARS, RESTAURANTS,
THEATERS, GYMNASIUMS, CHILD CARE FACILITIES, K-12 SCHOOLS,
COLLEGES, UNIVERSITIES, AND TRADE SCHOOLS STATEWIDE)**

WHEREAS, Dr. Mark Schueler, MD, serves as the Johnson County Health Officer pursuant to Wyo. Stat. Ann. § 35- 1-306(a); and

WHEREAS, Wyo. Stat. Ann. § 35-1-240(a)(i), (ii), and (iv) gives the power to the Wyoming Department of Health, through the State Health Officer, or under her direction and supervision, or through the other employees of the Wyoming Department of Health to control the causes of communicable disease; to close theaters, schools and other public places; and to forbid gatherings of people when necessary to protect the public health; and

WHEREAS, as evidenced by her signature below, Dr. Alexia Harrist, MD, PhD, the Wyoming State Health Officer, has reviewed and directed the issuance of this Variance Order by Dr. Mark Schueler, Johnson County Health Officer, and Dr. Alexia Harrist, the State Health Officer, also specifically makes the finding that this Variance Order is necessary for protection of the public health; and

WHEREAS, the State Health Officer has issued Statewide Order #1 closing bars, restaurants, theaters, gymnasiums, child care facilities, K-12 schools, colleges, universities, and trade schools statewide; and

WHEREAS, Statewide Order #1 is specifically titled: *Third Continuation, and Modification, of Statewide Public Health Order Closing Bars, Restaurants, Theaters, Gymnasiums, Child Care Facilities, K-12 Schools, Colleges, Universities, and Trade Schools Statewide*. Statewide Order #1 originally was to expire on April 3, 2020, however, it was extended by the First Continuation Order to April 17, 2020. The Second Continuation Order extended Statewide Order #1 to April 30, 2020. The Third Continuation Order now extends the closures through May 15, 2020, and allows for a County Health Officer to request a less restrictive or more restrictive countywide variance to the order; and

WHEREAS, COVID-19 was first detected in Wuhan, China in 2019, and since then has spread throughout the world to include the United States, the State of Wyoming, and Johnson County; and

WHEREAS, COVID-19 is a respiratory illness, transmitted through person-to-person contact or by contact with surfaces contaminated with the virus. Persons infected with COVID-19 may become symptomatic two to fourteen days after exposure. The symptoms of COVID-19 include fever, cough, and shortness of breath. In some cases, COVID-19 can result in severe disease including hospitalization, admission to an intensive care unit, and death, especially among older adults and persons with serious underlying health conditions; and

WHEREAS, the World Health Organization declared COVID-19 a worldwide pandemic as of March 11, 2020; and

WHEREAS, on March 13, 2020, the President of the United States declared a national emergency concerning the coronavirus, specifically stating that, in “December 2019 a novel (new) coronavirus known as SARS-CoV-2 (“the virus”) was first detected in Wuhan, Hubei Province, People’s Republic of China, causing outbreaks of the coronavirus disease (COVID-19) that has now spread globally [...] The spread of COVID-19 within our Nation’s communities threatens to strain our Nation’s healthcare systems. [...] Additional measures [...] are needed to successfully contain and combat the virus in the United States[;]” and

WHEREAS, on March 13, 2020, Wyoming Governor Mark Gordon declared a State of Emergency and Public Health Emergency in the State of Wyoming, and the State of Wyoming is experiencing a public health emergency in response to the evolving COVID-19 outbreak; and

WHEREAS, Governor Gordon’s Declaration of a State of Emergency and Public Health Emergency directs the Wyoming Department of Health to take all appropriate and necessary actions, and that in the judgment of the Director of the Wyoming Department of Health, any actions necessary should be taken to provide aid to those locations where there is a threat or danger to public health, safety, and welfare; and

WHEREAS, a significant number of Wyoming citizens are at risk of serious health complications, including death, from COVID-19. Although most individuals who contract COVID-19 do not become seriously ill, people with mild symptoms, and even asymptomatic persons with COVID-19, place other vulnerable members of the public at significant risk; and

WHEREAS, a large number of persons with serious infections can compromise the ability of the healthcare system to deliver the necessary healthcare to the public; and

WHEREAS, the Wyoming Department of Health has issued data-driven decision-making metrics to inform public health orders that include the following: number of positive cases, percent of cases attributed to community spread, percent of total tests that are positive, total reported COVID-19 hospitalizations, total reported hospital bed capacity, total ICU bed availability, daily COVID-19 testing volume, testing capacity, PPE supplies, and COVID-19 outbreaks in communal settings; and

WHEREAS, in addition to the above findings, stopping the spread of COVID-19 includes wearing a mask, washing hands often, practicing social distancing by avoiding close contact with others, staying at least six feet away from someone who is ill or showing signs of illness, avoiding touching your face, eyes, nose and mouth, and covering your cough or sneeze into your elbow or by using a tissue; and

WHEREAS, as of May 5, 2020, there have been eleven (11) laboratory-confirmed COVID-19 cases in Johnson County, and there are currently zero (0) laboratory-confirmed active cases; the last COVID-19 laboratory-confirmed COVID-19 case in Johnson County was on April 11, 2020; and

WHEREAS, testing supplies have increased in Johnson County; there is increased capacity to test symptomatic patients; and Johnson County is planning to increase testing starting the week that this Variance Order is issued.

NOW THEREFORE, IT IS HEREBY ORDERED THAT residents of Johnson County shall comply with Statewide Order #1 (*Third Continuation and Modification, of Statewide Public Health Order Closing Bars, Restaurants, Theaters, Gymnasiums, Child Care facilities, K-12 Schools, Colleges, Universities, and Trade Schools Statewide*) with the following exceptions:

1. Restaurants, food courts, cafes, coffeehouses, bars, taverns, brew pubs, breweries, microbreweries, distillery pubs, wineries, tasting rooms, special licensees, clubs, and other places of public accommodation offering food, beverages, or alcoholic beverages for on-premises consumption may operate with the following restrictions, to be enforced by the business owner:

- a. All patrons of the business shall be seated at tables (including booths);
- b. Tables shall be limited to groups of 6, preferably of the same household;
- c. Tables with guests must be positioned so that guests at different tables are at least 6 feet apart from each other when seated;

- d. Signage must be maintained to remind individuals from separate parties to stand at least 6 feet apart; waiting areas must have floor markers to indicate proper spacing;
- e. The business shall assure that social distancing guidelines are maintained while customers enter and remain in the establishment;
- f. Staff shall wear face coverings at all times and perform hand hygiene between interactions with each table;
- g. Cups, lids, napkins and straws must be handed directly to customers by staff; tables must not be set prior to customer arrival;
- h. Staff shall avoid touching items that have been placed on the table; the table must be cleared by a dedicated staff member once all guests have left;
- i. Dedicated staff members shall sanitize the area occupied by customers upon departure including tables, menus, pens, salt and pepper shakers, chairs, etc. (consider the use of disposable items if necessary);
- j. The business may not operate if PPE, EPA-approved disinfectants and sanitizers, soap, and other necessary cleaning supplies are not available;
- k. Hand sanitizer must be available at the restaurant entrance and immediately adjacent to bathrooms;
- l. The business shall clean and disinfect in the morning, afternoon, and evening; all tables, chairs, door handles, floors, bathrooms, and any high-touch surfaces must be cleaned and disinfected;
- m. No self-serve food service or buffet options may be available unless food is pre-packaged; drink refills are not allowed in the same containers;
- n. To-go boxes, pizza boxes, paper cups, and any other paper product that touches food must be treated as food;
- o. Staff shall use gloves when handling ready-to-eat foods (including ice); gloves are not required when handling foods that have yet to be cooked;
- p. Employees must be screened for symptoms of COVID-19 or exposures to an individual with COVID-19 prior to each shift; employees with symptoms or exposure shall not be allowed to work; logs must be kept and available for inspection by the local health officer;
- q. Self-service condiments should be eliminated unless they can be cleaned adequately between customers;

- r. The business should encourage contactless and no-signature payment; if not possible, card and payment stations must be sanitized after each use; staff shall sanitize hands between handling payment options and food containers;
- s. The business shall maintain a record of staff working hours, by date and time for purposes of COVID-19 tracing, in the event that contact tracing is necessary; if this record keeping is done manually, sanitizing measures must be taken on the instruments used for record keeping in between use;
- t. Playgrounds at the business must remain closed; and
- u. No dart/pool leagues, dances, events, or karaoke may take place at the business.

IT IS FURTHER ORDERED that the Johnson County Health Officer may grant exceptions to this Countywide Variance to Statewide Order #1 on a case by case basis after evaluating the request and after obtaining written approval from the State Health Officer; and

IT IS FURTHER ORDERED that this Countywide Variance to Statewide Order #1 shall remain in effect until such time as the Johnson County Health Officer enters a decision to revoke or modify this variance, under the direction and supervision of the State Health Officer; and

IT IS FURTHER ORDERED, that any person or legal entity that violates this Order shall be subject to criminal prosecution under Wyo. Stat. Ann. §§ 35-1-105 and 35-1-106.


DATED THIS ____ DAY OF _____, 2020.

Dr. Mark Schueler
Johnson County Health Officer

Direction to Issue Order

I, Dr. Alexia Harrist, the Wyoming State Health Officer, hereby state that I have reviewed the above Variance Order and hereby direct, pursuant to Wyo. Stat. Ann. §§ 35-

1-227 and -240(a)(i), (ii), and (iv), Dr. Mark Schueler, the Johnson County Health Officer, to issue the above Countywide Variance to Statewide Order #1 in Johnson County, Wyoming. As the State Health Officer, I specifically deem that this Variance Order is appropriate for Johnson County. I will reassess the necessity of this variance as appropriate to do so and according to accepted epidemiological and medical standards.



Dr. Alexia Harrist
Wyoming State Health Officer