

ORDINANCE NO. 2020 BCCO-16

A CONTINUED DIRECTIVE OF THE HOWARD COUNTY BOARD OF COMMISSIONERS REGARDING COVID-19

WHEREAS, on March 16, 2020, the Howard County Board of Commissioners adopted Ordinance 2020- BCCO-13 in direct response to the immediate threat to Howard County and its citizens posed by the Coronavirus/COVID-19; and

WHEREAS, on March 18, 2020, the Howard County Board of Commissioners, pursuant to IC 10-14-3-29 and 29.5, and IC 36-8-2, adopted Ordinance 2020-BCCO-14, declaring a local disaster health emergency to exist and placing Howard County on a Watch (Orange) travel advisory; and

WHEREAS, on March 20, 2020, the Howard County Board of Commissioners issued its emergency order in furtherance of the above ordinances, prohibiting the sale and purchase of certain nonessential goods; and

WHEREAS, on April 3, 2020 the Howard County Board of Commissioners, pursuant to the statutory authority cited above, adopted Ordinance 2020-BCCO-15 whereby the local disaster health emergency and WATCH (Orange) travel advisory were extended to April 19, 2020; and

WHEREAS, on March 23, 2020 Indiana Governor Eric J. Holcomb issued Executive Order 20-08 which required all persons residing in Indiana to stay at home except for, among other things, conducting essential travel and activities, participating in the operation of essential businesses or the operation of essential government functions; and

WHEREAS, on April 6, 2020 Governor Holcomb issued Executive Order 20-18 which, in large part, incorporated the terms and provisions of Executive Order 20-08, with some modifications, and which remains in full force and effect until April 20, 2020; and

WHEREAS, the Howard County Board of Commissioners recognizes the benefit to citizens and businesses of aligning its orders with the Governor's executive orders unless, and in full compliance with Indiana law, the evolving public health emergency in Howard County requires more stringent measures. To that end, the Howard County Board of Commissioners continues to reserve the authority to issue such orders as are necessary and prudent for Howard County residents and businesses, provided such orders are not less strict than those set forth in the Governor's executive orders.

WHEREAS, Howard County residents and business owners are already acting responsibly during this public health emergency, and the intent of this Ordinance is to ensure people maintain physical distance to the maximum extent feasible while also

enabling businesses, both essential and nonessential, to operate within the parameters of the directives contained in this ordinance; and

WHEREAS, although significant measures have been taken to mitigate COVID-19, this virus remains a serious threat to the health, safety and welfare of Howard County residents and further efforts are necessary to further control and reduce the continuing threat posed by COVID-19; and

WHEREAS, the Howard County Board of Commissioners, due to the severity of the continuing threat posed by COVID-19, has continued to confer with medical experts, hospital officials, the Howard County Health Department and Health Officer Dr. Don Zent, and numerous businesses and citizens, in order to further assess and address the urgent needs of Howard County; and

WHEREAS, the Board of Commissioners, pursuant to IC 10-14-3-29(a)(2), and IC 36-8-2, is authorized to extend the declaration of local disaster emergency and the travel advisory; and

WHEREAS, the Board of Commissioners is authorized pursuant to IC 36-8-2-4 to regulate conduct or use of property that might endanger the public health, safety or welfare, to impose restrictions on persons that might cause others to contract disease, and to regulate business for public health and safety purposes:

NOW, THEREFORE, the Howard County Board of Commissioners does hereby declare:

- 1) The declaration of **local disaster emergency** is hereby extended and shall remain in effect until 11:59 p.m., May 4, 2020.
- 2) The **WATCH (Orange) local travel advisory** is hereby extended and shall remain in effect until 11:59 p.m., May 4, 2020. For purposes of this advisory the term travel is not restricted to travel by automobile and extends to travel by any means. Pursuant to IC 10-14-3-29.5, during a WATCH local travel advisory only essential travel, such as travel to and from essential work, travel for medical care or to obtain medication, for emergency situations, for food and groceries, and for personal hygiene or cleaning products, is recommended.
- 3) **PUBLIC MEETINGS**. Pursuant to the Indiana Open Door Law, IC 5-14-1.5, all regularly scheduled public meetings of Howard County Government are cancelled until May 4, 2020.
- 4) **RETAIL BUSINESSES**. As part of the Board of Commissioners'

ongoing evaluation of the health risk, and after consultation with medical experts and businesses, and in accordance with Governor Holcomb's Executive Order 20-18, all retail businesses which are not essential businesses may be open for business but only for online or call-in ordering, with delivery or curbside pickup. These businesses shall comply with any and all CDC guidelines, including, but not limited to, social distancing and sanitation of applicable areas and other mitigation measures to protect its employees and the public.

5) **FAITH INSTITUTIONS.** Faith institutions may conduct "drive-in" or "parking lot" services, within the following guidelines:

- Worship facilities and physical locations for worship must be closed.
- Only the minimum number of personnel should be used to deliver the service.
- Staff and volunteers who are not speaking should wear masks.
- Participants other than service leaders should remain in their vehicles at all times, with vehicles parked no closer than 9 feet apart.
- No one may exit a vehicle at any time.
- Portable bathrooms are not allowed on the premises.
- Vehicles should contain only members of the same household.
- Livestream or other virtual services are recommended.

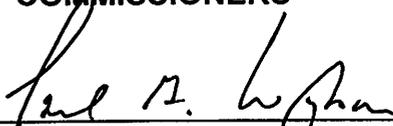
6) All terms and provisions of Ordinances BCCO-13, 14, and 15 are incorporated herein, including but not limited to, the recommended one shopper-one cart directive and all other social distancing guidelines set forth therein.

7) Once again, the Board of Commissioners acknowledge the hardship and sacrifice that is being imposed on the businesses and citizens of Howard County. This is an ongoing and evolving public health crisis. There may be further restrictions.

8) This Ordinance is effective at 5:00 p.m. on Sunday, April 19, 2020.

Read and adopted this 16th day of April, 2020.

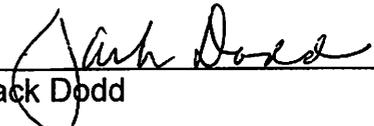
**HOWARD COUNTY BOARD
OF COMMISSIONERS**



Paul G. Wyman, President



R. Brad Bray



Jack Dodd

ATTEST:



Marika J. Lake, Howard County Auditor