



Clark County Health Department

Dr. Eric B. Yazel, Health Officer

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For Immediate Release
November 18, 2020

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The Clark County Health Department has been monitoring COVID-19 transmission data daily in an effort to make policy decisions based on facts and risk analysis. The daily infection rates and hospitalizations in Clark County have driven the decision to impose more stringent requirements for restaurants, bars, social gatherings, and events. These measures are being implemented to reduce the chance of our County rising to the red metric established by the Governor. The Clark County Health Department believes these additional measures will provide the County's best defense against more restrictive orders outlined by the Governor. In addition, the Clark County Health Department believes these measures will help decrease community spread.

Please be vigilant as we navigate through this challenging phase of the COVID-19 pandemic. Following CDC guidelines such as washing your hands, wearing a mask, socially distancing, and avoiding large gatherings are known to be effective tools in reducing disease transmission. Let's work together to make the Holiday Season safer in 2020.

Attachment Enclosed

**ORDER OF THE CLARK COUNTY HEALTH DEPARTMENT
REGARDING ADDITIONAL COVID-19 RESTRICTIONS
FOR RESTAURANTS, SOCIAL GATHERINGS, AND EVENTS**

WHEREAS, pursuant to I.C. 16-20-1-21, “[e]ach local health board has the responsibility and authority to take any action authorized by statute or rule of the state department to control communicable diseases”;

WHEREAS, pursuant to 410 IAC 1-2.3-51, entitled “General Control Powers,” local health officers or the commissioner may institute specific control measures following notifications of the existence of certain communicable diseases. The control measures include, but are not limited to, “restrictions upon the movements of cases or carriers or and their contacts as may be reasonably necessary to prevent the spread of disease”;

WHEREAS, pursuant to Executive Order 20-47, the Governor of Indiana has issued an Eighth Renewal of the *Public Health Emergency Declaration for the COVID-19 Outbreak*, effective on November 1, 2020 and expiring on December 1, 2020, unless further renewed;

WHEREAS, pursuant to Executive Order 20-48, the Governor of Indiana determined that “all Hoosiers, Hoosier businesses, and other individuals in the state must adhere to the directives in this Executive Order unless rescinded, modified, or extended,” by the Governor, and furthermore, “**Unless otherwise specified, nothing in this Executive Order prohibits a county and political subdivision from imposing more stringent requirements than this Executive Order requires**”;

Pursuant to Executive Order 20-48, the Clark County Health Department has been in contact with the Indiana State Department of Health (ISDH) regarding the Color Coded Metric formulated by ISDH;

Based upon the variables used to calculate the Color Coded Metric, Clark County has been identified as being in **orange zone**, meaning “Community spread is approaching high levels and a county has point score of 2.0 or 2.5”;

WHEREAS, Executive Order 20-48 set out certain requirements and restrictions applicable to restaurants, to “social gatherings,” and to “events”;

WHEREAS, Under Executive Order 20-48, “A ‘social gathering’ is an event, assembly, or convention that brings together multiple people, individually, or from separate households, in a single location, whether held indoors or outdoors, in a private residence, commercial venue, or other public place, at the same time and in a coordinate fashion where a significant purpose is to interact with others – such as a wedding reception, funeral visitation, family reunion, party, barbecue, picnic, or club meeting”;

Additionally, the size of a social gathering, without any approval required, is limited to a county’s color-coded metric. “Counties designated as Orange may have up to a total of fifty (50) individuals present.” For any social gathering

where the total number of invited or requested guests is expected to exceed the number of permitted attendees, the host must submit a written safety plan to the local health department at least seven (7) days in advance of the social gathering and receive approval before proceeding with the social gathering;

WHEREAS, Under Executive Order 20-48, “an ‘event’ is an assembly or convening of multiple individuals from separate households in a single space, indoors or outdoors, at the same time but where the main purpose is not necessarily for individuals to interact with others outside of one’s household but to engage in or attend a business/commercial function, single event, or events of limited duration – such as conferences, conventions, sport or racing competition (including collegiate and professional sports), extracurricular school events, concerts, shows, fairs, festivals, carnivals, parades, graduation ceremonies, community celebrations, fundraisers or other entertainment events.” The definition specifically excludes internal business meetings held within a business’ own facility;

Additionally, the size of an event, without any approval required, is limited to a county’s color-coded metric. “Counties designated as Orange may have up to a total of fifty (50) individuals present.” For any event where the total number of invited or requested individuals is expected to exceed the number of permitted attendees, the host must submit a written safety plan to the local health department at least seven (7) days in advance of the event and receive approval before proceeding with the event;

WHEREAS, Local ordinances, directives, or orders may not impose less stringent requirements than those outlined in Executive Order 20-48. However, the Order states that, **“unless prohibited by an Executive Order, local ordinances, directives, and orders may be more restrictive”**;

WHEREAS, the Clark County Health Department has been monitoring COVID-19 transmission via case investigation data daily in an effort to make policy decisions based on facts and risk analysis. The daily infection rates and hospitalizations in Clark County have driven this decision to impose more stringent requirements for restaurants, social gatherings, and events. These measures are being implemented to reduce the chance of our County rising to the red metric established by the Governor. The Clark County Health Department believes these additional measures will provide the County’s best defense against more restrictive orders outlined by the Governor should the County move to red zone. In addition, the Clark County Health Department believes these measures will help decrease community spread.

NOW, THEREFORE, the Clark County Health Department, by its authorized representative, does hereby order, effective this 20th day of November, 2020, at 12:01 a.m. that:

1. Restaurants may operate at seventy five percent (75%) capacity; however, capacity may be limited further by social distancing guidelines when applied to existing seating. Plexiglass and other forms of physical barriers do not negate the capacity limit or social distancing requirements (booths less than 6 feet, separated by plexiglass do not meet social distancing guidelines);

2. Bars/barrooms must close at 10:00 p.m. Bars /barroom are defined as the area of the premises where patrons must be twenty-one (21) years of age and above. Bar-top seating is prohibited at all times of day. Drinks served at socially distanced tables are permissible;
3. In addition to any and all requirements imposed under Executive Order 20-48 (i.e. maximum number of permitted attendees in counties designated orange zone, written safety plans submitted to the health department, etc.), social gatherings and events, as defined in Executive Order 20-48, are prohibited from exceeding fifty percent (50%) capacity of the facility or building occupancy limits;
4. Nothing in this Order contradicts or limits any requirements contained in Executive Order 20-48, including restrictions and/or exemptions that apply under said Order;
5. This Order shall expire on the 4th day of December, 2020 at 12:01 a.m., unless rescinded, modified, or extended.



Dr. Eric B. Yazel,
Clark County Health Officer

Dated: 11/18/2020