



Clark County Health Department

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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 revise the previous order of the Clark County Health Department. These more stringent requirements apply to restaurants, bars, social gatherings, and events. The Clark County Health Department believes these measures are necessary since the county has been designated a "red" county.

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.

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 20-52, the Governor of Indiana has issued a Tenth Renewal of the *Public Health Emergency Declaration for the COVID-19 Outbreak*, effective on December 31, 2020 and expiring on January 30, 2021, unless further renewed;

WHEREAS, pursuant to Executive Order 20-53, the Governor of Indiana has extended Order 20-50 with the modification of paragraph 5 regarding hospitals. Pursuant to Executive Order 20-53, **“Unless otherwise specified, nothing in this Executive Order prohibits a county, political subdivision, local government entity, or school corporation from imposing more stringent requirements than this Executive Order”**

Pursuant to Executive Order 20-50, 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 **red zone**, meaning “Community spread is high and a county has point score of 3.0 or greater”;

WHEREAS, Executive Order 20-50 set out certain requirements and restrictions applicable to restaurants, to “social gatherings,” and to “events”;

WHEREAS, Under Executive Order 20-50, “A ‘social gathering’ is an event, assembly, or convening 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 is limited to a county’s color-coded metric. “Counties designated as Red may have up to a total of twenty-five (25) individuals present.”

WHEREAS, Under Executive Order 20-50, “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, concerts, shows, fairs, festivals, carnivals, parades, graduation ceremonies, community holiday 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 is limited to a county’s color-coded metric. “Counties designated as Red may have up to a total of twenty-five (25) individuals present.”

WHEREAS, Local ordinances, directives, or orders may not impose less stringent requirements than those outlined in Executive Order 20-50. 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 spread of coronavirus in our County, which has been designated as red according to the metric established by the Governor. The Clark County Health Department believes these additional measures will provide the County’s best defense against the spread of coronavirus and against increased hospitalizations.

NOW, THEREFORE, the Clark County Health Department, by its authorized representative, does hereby order, effective this 7th day of January, 2021, 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. each night and remain closed until 7:00 a.m. the following morning. 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. Social gatherings and events, as defined in Executive Order 20-50, are prohibited from exceeding twenty-five (25) individuals present;
4. This Order rescinds any prior Orders of the Clark County Health Department Regarding Additional Restrictions For Restaurants, Social Gatherings, and Events;
5. Nothing in this Order contradicts or limits any requirements contained in Executive Order 20-50, including restrictions and/or exemptions that apply under said Order;
6. This Order shall expire on the 21st day of January, 2021 at 12:01 a.m., unless rescinded, modified, or extended.



Dr. Eric B. Yazel,
Clark County Health Officer

Dated: January 6, 2021