

# ORDER

of the Kanawha Charleston Health Department

## Establishing additional measures and regulations to protect the health, safety, and welfare of the public from further spread of the COVID-19 virus

Pursuant to the Governor's Executive Order No.21-20 ("EO 21-20"), dated April 4, 2020, issued at 9:45pm, which directs that *further measures are necessary to save lives to the extent humanly possible and to protect the health, safety, and welfare of the public* from the spread of the COVID virus, in both the incorporated and unincorporated areas of Kanawha County, including the City of Charleston, the Kanawha Charleston Health Department does hereby immediately impose the following additional restrictions upon the residents, businesses, and public and private entities in Kanawha County:

1. **Stay at home or your place of residence:** All individuals within Kanawha County are under a general stay-at-home order and are directed to stay at home or their place of residence unless performing an essential activity, as defined within Section 1 of the Governor of West Virginia's Stay at Home Executive Order 9-20 ("EO 9-20"), with the additional restrictions imposed, as follows:
  - a. As stated in EO 21-20, the gathering size of any group engaging in outdoor activity is limited to a **maximum of 5 people** while still maintaining social distancing of six feet from one another at all times.
  - b. All persons who are going to and from the home of a family member are to limit the number of these visits to the greatest extent possible in order to limit the instances requiring them to leave home.
  
2. **Essential Businesses and Operations.** As stated in EO 21-20, all Essential Businesses and Operations, as outlined in Section 3 of EO 9-20, conducted by both private and public employers in Kanawha County **shall order their employees and/or contractors, to the maximum extent possible, to work from their home or residence, or to otherwise work remotely in order to limit the instances requiring their employees to leave home.** Despite this directive, any business permitted to remain open that chooses to remain open and requires employees to report to work must take the following actions:
  - a. Implement a plan to limit staff to essential personnel only;
  - b. Implement social distancing practices in the workplace where possible, including remaining 6 feet away from others; and
  - c. Supply adequate disinfecting and hygienic supplies to employees, such as disinfecting wipes or spray, hand sanitizer, and soap & water.
  
3. **Public Access Restrictions.** All Essential Business and Operations, as outlined in Section 3 of EO 9-20, that choose to remain open to the public shall limit access to the public as follows:
  - a. **No more than two (2) individual members of the public may enter into the business per 1,000 square feet of public space in the business.** In order to ensure the number of people per square foot is not exceeded, the business shall keep track of the number of people who enter and leave the store on a one-in, one-out basis once capacity is reached.

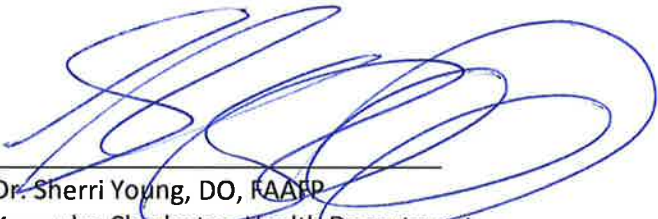
- b. The business shall take actions to establish social distancing for the public to the greatest extent possible, including but not limited to marking distances six feet apart at any area where people are likely to stand in line, creating one-way aisles or other restrictions to limit close contact with other people, and encouraging people to place orders ahead, where feasible, that will allow them to pick up and pay without entering the business.
  - c. Any essential business that remains open to the public shall prominently display the regulations established herein, including posting the maximum per person occupancy of each essential business under the square footage regulations established herein, in no less than five (5) locations, including at the entrance to the store in addition to posting the same on the business's website and all social media platforms, if applicable.
4. **Resident Needs.** Any resident who has a critical need for goods and services that they are unable to obtain due to this Order or any other Order related to the COVID-19 pandemic is encouraged to call 211 in order to seek assistance.
5. **Self-Quarantine for Positive Test.** Pursuant to the general authority of the Kanawha Charleston Health Department to order quarantine of individuals contained in West Virginia Code § 16-3-2, any person who is diagnosed with COVID-19 shall self-quarantine for at least 14 days in a portion of their own home that limits, as much as possible, their contact with any other member of their residence. If possible, any person diagnosed with COVID-19 who is under self-quarantine should use his or her own bathroom. Any person living in the same household as a diagnosed person or who has had known contact with a diagnosed person should contact the Kanawha Charleston Health Department for further instruction.
6. **Enforcement.** The enforcement of this Order shall be at the direction of the Kanawha Charleston Health Department. Pursuant to EO 21-20, the West Virginia State Police are directed to provide support in enforcing the terms of this Order. Accordingly, the Kanawha Charleston Health Department hereby requests that the West Virginia State Police enforce this Order and that any West Virginia State Police Trooper assigned to assist the Kanawha County Health Department with the enforcement of this order are requested use the Sheriff Law Enforcement (SLED) radio frequency in communications with Metro 911 and the Kanawha County Sheriff's office. If West Virginia State Police resources are not available, the Kanawha County Sheriff's office and all municipal law enforcement agencies located in Kanawha County may be called upon to enforce this Order. In addition to all enforcement authority vested in law enforcement, the Kanawha Charleston Health Department hereby declares:
  - a. Pursuant to EO 21-20, to the extent resources are available, the National Guard shall support the local health department by assisting with spot checking businesses and with any other support deemed necessary by the Health Office to require compliance with the regulations established herein.
  - b. That all law enforcement officers acting at the direction of the Kanawha Charleston Health Department are charged with the enforcement of this Order. Any person who violates a lawful directive from such law enforcement officer is subject to the penalties stated in West Virginia Code § 16-2-15, which provides a misdemeanor penalty for any person who obstructs any person charged with the enforcement of any public health law.
  - c. Any person who is notified by a law enforcement officer that they are in violation of this Order and who does not take the requested action to come into compliance with this Order within a reasonable amount of time, is also hereby declared to be a nuisance affecting public health,

pursuant to West Virginia Code § 16-3-6 and the law enforcement officer is authorized to apply to the Circuit Court of Kanawha County for an injunction to restrain, prevent or abate such nuisance.

- d. That any member of public can report non-compliance with these regulations by calling the KCHD 24/7 hotline at 304-348-1088.
7. **Amendment.** The Kanawha Charleston Health Department reserves the right to amend the order as is necessary to protect the health and welfare of the public. Any amendment made will be communicated to the public by media release and other reasonable methods of notification.

As evidenced by my signature below, this Order is hereby effective immediately.

DATED this 5 day of April 2020 at 5 p.m.



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Dr. Sherri Young, DO, FAAP  
Kanawha-Charleston Health Department  
Executive Director and Health Officer