

**St. Louis County Department of Public Health  
2019 Novel Coronavirus (“COVID-19”)  
Stay at Home Order**

**I. Background**

The St. Louis County Department of Public Health (“DPH”) has been closely monitoring an outbreak of respiratory illness caused by COVID-19. Infections with COVID-19 have been reported around the world. The first confirmed instance of person-to-person spread of the virus in the United States was reported on January 30, 2020. The first confirmed instance of COVID-19 in St. Louis County was reported on March 7, 2020. A state of emergency was declared in St. Louis County on March 13, 2020, and several executive orders have been issued since authorizing the director of DPH to issue orders, policies, and other rules to implement those executive orders.

COVID-19 is considered an infectious, contagious, communicable, and dangerous disease for purposes of §§ 192.020-1, 192.139, & 193.300, RSMo., 19 CSR 20-20.020, and other state and local laws. The DPH’s director is the “local health authority” under 19 CSR 20-20.050(1) pursuant to 19 CSR 20-20.010(24), Section 4.130 of the Charter, and Section 600.010 SLCRO, and has been delegated the authority to act on St. Louis County’s behalf for the public health purposes described in § 193.300, RSMo.

Violating a public health order designed to “prevent the entrance of infectious, contagious, communicable or dangerous diseases” into St. Louis County is punishable as a misdemeanor pursuant to § 192.300, RSMo. Further, “[a]ny person . . . who shall leave any . . . quarantined house or place without the consent of the health officer having jurisdiction, or who evades or breaks quarantine or knowingly conceals a case of contagious, infectious, or communicable disease, or who removes, destroys, obstructs from view, or tears down any quarantine card, cloth or notice by the attending physician or by the health officer, or by direction of the proper health officer, shall be deemed guilty of a class A misdemeanor” pursuant to § 192.320, RSMo.

**II. Purpose**

The intent of this order is to ensure that the maximum number of people remain in their places of residence to the maximum extent feasible, while enabling essential services to continue, to slow the spread of COVID-19 within St. Louis County. When people leave their place of residence, whether to obtain or perform essential services, or to otherwise facilitate otherwise authorized activities, they should at all times reasonably comply with Social Distancing Requirements.

### III. Definitions

For purposes of this order, these terms, regardless of whether capitalized, are defined as follows:

- A. "Business" or "businesses" means any for-profit companies, non-profit organizations, benevolent associations, limited liability companies, or partnerships, regardless of legal organization, form, entity, tax-treatment, or structure;
- B. "CDC" means the Centers for Disease Control and Prevention of the United States Department of Health and Human Services;
- C. "County" means St. Louis County, Missouri;
- D. "Disqualified Businesses" means any Essential Business that is disqualified from being an Essential Business pursuant to Section IV(I), by order of the Director of the Department of Public Health, or by judicial decree or court order;
- E. "Essential Activities" means activities that are necessary for a person to:
  - 1. act or perform tasks essential to any person's health and safety, or to the health and safety of their family, household members, or pets, including but not limited to obtaining medical supplies or medication, visiting a health care professional, obtaining supplies needed to work from home, or laundering clothing;
  - 2. obtain Necessary Services or Supplies for themselves and their family, household members, or pets, or to deliver Necessary Services or Supplies to others;
  - 3. engage in Essential Travel;
  - 4. shop for grocery products, food, beverages, or other household and consumer products (for example, cleaning or personal care products including but not limited to products necessary to maintain the safety, sanitation, communication, and the essential operation of Residences);
  - 5. engage in services or perform work necessary to operate or maintain Essential Infrastructure;
  - 6. engage in outdoor activity (including walking, hiking, running, or biking) to the extent reasonably consistent with Social Distancing Requirements (including, for example, walking outdoors six feet away from another person);
  - 7. participate in religious services and other spiritual practices but only to the extent consistent with reasonable compliance with Social Distancing Requirements and gathering size limitations;
  - 8. acts consisting of providing Essential Products and Services to a Residence, an Essential Business, or to a business in order for that business to maintain Minimum Basic Operations;

9. activities at open construction sites, irrespective of types of structures, subject to applicable OSHA and other safety guidelines, and related architectural, design, and land surveying activities, so long as the people involved reasonably comply with Social Distancing Requirements to the extent consistent with applicable safety guidelines;
  10. necessary care for a dependent in the person's legal custody, including acts essential for a parent with legal custody to transfer the physical custody of a child;
  11. care for a family member in another household;
  12. engage in Essential Government Functions;
  13. engage in Healthcare Operations;
  14. exercise constitutional rights to the extent that by so acting the person does not endanger the public health and safety or the health and safety of any person;
  15. acts consisting of providing Essential Products and Services to the federal government, the state government, St. Louis County, or any municipality or political subdivision within St. Louis County; or to
  16. act or perform tasks approved pursuant to an order of the Director of the Department of Public Health.
- F. "Essential Businesses" means, with the exception of Disqualified Businesses, the following:
1. Healthcare Operations;
  2. Essential Infrastructure;
  3. Essential Government Functions;
  4. grocery stores, farmers' markets, farm stands, produce stands, supermarkets, food banks, food pantries, convenience stores, or other establishments engaged in the retail sale of or providing canned food, dry goods, fruits, vegetables, pet supply, meats, fish, and poultry, or any household consumer products (*e.g.*, cleaning or personal care products), including but not limited to stores that sell groceries and also sell other non-grocery products, and products necessary to maintaining the safety, sanitation, and essential operation of Residences;
  5. businesses that engage in food cultivation, including farming, livestock, and fishing;
  6. businesses that engage in food production, manufacturing, processing, packaging, wholesaling, storage, warehousing, or distribution;

7. businesses that provide food, shelter, social services, or other necessities of life for economically disadvantaged or people otherwise in need of social services (including but not limited to individuals with physical, intellectual, or developmental disabilities);
8. newspapers, television stations, radio stations, and other media services, whether private or public;
9. gas stations, auto-supply, auto-repair, and related facilities;
10. banks, financial institutions, broker-dealers, asset managers, businesses that process payroll for any other business, and businesses that process financial transactions and services;
11. trash collection and disposal;
12. hardware stores;
13. inns, hotels, motels, and bed and breakfast establishments;
14. plumbers, electricians, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, communication, and essential operations of Residences, Healthcare Operations, Essential Infrastructure, Essential Government Services, Essential Activities, or other Essential Businesses;
15. businesses that perform construction services;
16. businesses providing mailing and shipping services, including post office boxes;
17. educational institutions, including public and private K-12 schools, colleges, and universities for purposes of facilitating distance learning, provided that Social Distancing Requirements are maintained to the greatest extent possible;
18. businesses providing private security services in accordance with applicable laws;
19. laundromats, dry cleaners, and laundry service providers;
20. funeral homes, crematoriums, cremation, burial, mortuary services, and cemeteries;
21. churches, religious services, and other spiritual practices but only to the extent consistent with reasonable compliance with Social Distancing Requirements and gathering size limitations;
22. storage for Essential Businesses;
23. restaurants and other facilities that prepare or serve food, but only in compliance with applicable orders of the Director of the Department of Public Health;

24. businesses that provide emergency repair and safety services for Essential Infrastructure;
25. businesses that supply products needed for people to work from home;
26. businesses that supply Essential Businesses with the support or supplies necessary to operate, including but not limited to maintenance, security, janitorial, and other similar services;
27. businesses that ship or deliver groceries, food, beverages, goods, or services to Residences or other Essential Businesses;
28. non-profit organizations to the extent that the organizations are providing financial or social support for people and businesses that are impacted by COVID-19;
29. businesses that manufacture or supply products necessary to meet the Social Distancing Requirements, including but not limited to manufacturers of hand sanitizers and other hygiene, health, and cleaning products, and the businesses whose products and services are necessary to the ongoing operation of the businesses whose products are necessary to meet the Social Distancing Requirements;
30. businesses that provide personal and transportation services including airlines, taxis, transportation network providers, livery services, vehicle rental services, and other private transportation providers providing transportation services necessary for Essential Activities and other purposes expressly authorized in this Order;
31. businesses or agencies providing public transportation or paratransit;
32. businesses that provide home-based care for the health of seniors, adults, or children;
33. residential facilities and shelters for seniors, adults, or children, including but not limited to those for survivors of family violence, domestic violence, intimate partner violence, child abuse, or child neglect;
34. defense and national security-related operations supporting the federal government or a contractor to the federal government;
35. professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities or to assist a person in the exercise of constitutional rights, including but not limited to services required by a court order, a court rule, a fiduciary duty, a duty to the person's client, or an ethical obligation;
36. businesses and agencies that provide and help to determine eligibility for basic

needs including food, cash assistance, medical coverage, childcare, vocational services, or rehabilitation services;

37. adoption agencies;
38. labor union essential activities, including the administration of health and welfare funds and personnel checking on the well-being and safety of members providing services in Essential Businesses provided that these checks should be done by telephone or remotely where possible;
39. professional services, such as legal or accounting services, when related to the necessary activities of Essential Businesses; and
40. businesses or independent providers that provide childcare or other dependent services but only to the extent that they provide services to people who are necessary employees of Essential Businesses, and including specifically without limitation Healthcare Operations, police departments, fire districts, jails, corrections medicine services, emergency management functions, food distribution companies, groceries, restaurants, pharmacies, public transit agencies, or businesses that manufacture or supply products necessary to meet Social Distancing Requirements, provided that they take reasonable actions to comply with Social Distancing Requirements, and provided that:
  - i. childcare must be carried out in stable groups of twelve or fewer (“stable” means that the same twelve or fewer children are in the same group each day);
  - ii. children shall not change from one group to another in the same day;
  - iii. if more than one group of children is cared for at one facility, each group shall be in a separate room and groups shall not mix with each other; and
  - iv. childcare providers shall remain solely with one group of children in the same day.

G. “Essential Government Functions” means all services needed to ensure the continuing operation of federal, state, or local government departments, offices, agencies, officials, political subdivisions, entities created by intergovernmental agreement, essential court functions as determined by the Presiding Judge or the Presiding Judge’s designee, and any other government functions necessary to provide for the health, safety, and welfare of the public;

H. “Essential Infrastructure” means operation and maintenance of utilities, power generation, electric and gas transmission and distribution facilities, water, wastewater, public works, construction (in particular, without exclusion, skilled trades, construction of affordable housing, construction for housing for individuals experiencing homelessness, and related construction firms and professionals), airport operations (including, without exclusion, airport concessions, airport parking

facilities, on-airport construction, air transportation employees, air traffic controllers, ramp personnel, aviation security, and aviation management), sewer, gas, electrical, oil refining, roads, highways, public transportation, solid waste collection and removal, internet, telecommunications systems (including essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services), data centers, logistics facilities and providers (including warehouses, trucking, consolidators, fumigators and handlers), distribution facilities, sorting facilities, and the design and construction of supply chain facilities such as logistics distribution and sorting facilities for commerce and food goods;

- I. “Essential Products and Services” means products and services that are necessary for Essential Activities, Essential Government Functions, Essential Infrastructure, Essential Travel, Essential Businesses, Minimum Basic Operations, or Healthcare Operations (including ancillary operations, maintenance, and support activities that are necessary to deliver the Essential Products and Services);
- J. “Essential Travel” means travel that is necessary to serve any of the following purposes:
  - 1. travel related to Essential Activities, Essential Government Functions, Essential Infrastructure, Essential Travel, Essential Businesses, Minimum Basic Operations, or Healthcare Operations;
  - 2. travel to care for elderly, minors, dependents, persons with disabilities, or other vulnerable or High Risk people;
  - 3. travel to an Essential Business to purchase goods or services from the Essential Business;
  - 4. travel to or from educational institutions for purposes of receiving materials for distance learning, for receiving meals, and any other related services;
  - 5. travel to return to a place of Residence from outside the jurisdiction;
  - 6. travel required by court order;
  - 7. travel required by directions from law enforcement personnel with authority; and
  - 8. travel required for non-residents to return to their place of Residence outside the County.
- K. “Gathering” means an occasion when people come together as a group, whether formal or informal and whether public or private;
- L. “Health” means the physical, mental, psychological, or psychiatric health of any person;

- M. "Healthcare Operations" means hospitals, clinics, dentists, doctors, physicians, nurses, medical assistants, social workers, speech pathologists, diagnostic and therapeutic technicians and technologists, respiratory therapists, occupational and physical therapists, public health and community health workers, blood donation-related organizations, organizations collecting blood, organizations collecting plasma, organizations collecting platelets, reproductive health care providers, eye care centers (including those that sell glasses and contact lenses), substance abuse counselors, pharmacies, pharmaceutical and biotechnology companies, doctor offices, dentist offices, healthcare facilities, healthcare suppliers, home healthcare services providers, mental health providers, any ancillary healthcare services, research and laboratory services, hospital and laboratory personnel, walk-in health facilities, elder care, medical wholesale and distribution, veterinary care, veterinarians, animal health services, workers providing COVID-19 testing, workers that perform critical clinical research needed for the COVID-19 response, facilities licensed pursuant to state constitutional amendment, the design and construction of healthcare and research-related facilities including businesses that support the function and care for healthcare entities, and manufacturers and distributors of personal protective equipment, durable medical equipment, or other equipment used in the provision of healthcare. This definition shall be construed broadly to avoid any impacts to the delivery of healthcare, broadly defined, however "Healthcare Operations" does not include fitness and exercise gyms, esthetician services, tattoo parlors, tanning facilities, spas, massage facilities, or similar facilities;
- N. "High Risk" means a person who is any one of the following: (a) over sixty years of age; (b) has a chronic health condition such as heart disease, lung disease, or diabetes; (c) is immune-compromised; or (d) is pregnant;
- O. "Intentional" means an act done with a purpose or with deliberation;
- P. "Minimum Basic Operations" means the minimum necessary activities to maintain the value of a business's inventory, provide security, process payroll or employee benefits, or to facilitate employees of the business being able to continue to work remotely from their Residences.
- Q. "Necessary Services or Supplies" means services, supplies, or funds needed to engage in Essential Activities and support Essential Infrastructure;
- R. "Organizes" means intentionally coordinate, to make arrangements for, or to make preparations for an event or an activity;
- S. "Prohibited Activities" means any of the following:
1. any gathering of ten or more people in a single space or room, unless otherwise specifically permitted by this Order; or
  2. activities regarding places of public amusement, whether indoors or outdoors, including but not limited to locations with amusement rides, carnivals, amusement parks, water parks, aquariums, zoos, museums, arcades, fairs, children's play



centers, playgrounds, funplexes, theme parks, bowling alleys, movie and other theatres, concert and music halls, country clubs, golf clubs (with the narrow exceptions of playing golf and driving ranges where Social Distancing Requirements are strictly followed and enforced), social clubs, and athletic clubs.

- T. "Residences" means a house, a condominium unit, an apartment unit, a dwelling, a hotel room, a motel room, a shared rental unit, shelters, or similar facilities but extends only within the bounds of the person's ownership, the person's leasehold interest, or the space occupied in a hotel, motel or shared rental unit and does not include common areas;
- U. "Social Distancing Requirements" means maintaining at least six-foot social distancing from other individuals, washing hands with soap and water for at least twenty seconds as frequently as possible or using hand sanitizer with more than sixty percent alcohol, covering coughs or sneezes with something other than hands, regularly cleaning high-touch surfaces, and not shaking hands, or as otherwise defined by order; and
- V. "Travel" means moving from place to place.

#### **IV. Stay at Home Requirements**

##### **A. Allowed Conduct**

1. A person may be outside their Residence only to engage in Essential Activities. Otherwise, every person in St. Louis County, including incorporated and unincorporated areas, shall be and shall remain within their Residence.
2. Any person who is outside their Residence to engage in an Essential Activity shall reasonably comply with Social Distancing Requirements.
3. All public parks and open outdoor recreation areas are encouraged to remain open. Because playgrounds may increase the spread of COVID-19, all playgrounds shall be closed with appropriate notices posted.
4. Individuals experiencing homelessness are exempt from Section IV(A)(1), but are strongly urged to obtain shelter, and governmental and other entities are strongly urged to make such shelter available as soon as possible and to the maximum extent practicable. Individuals whose residences are unsafe or become unsafe, such as victims of domestic violence, are permitted and urged to leave their home and stay at a safe alternative location.

##### **B. Gatherings**

1. No person shall organize or attend an Intentional Gathering of any number of people occurring outside a Residence, Essential Business, or while engaging in an Essential Activity.

2. Nothing in this Order shall be interpreted to prohibit Gatherings of members of a single household.

#### C. Businesses

1. Essential Businesses may continue necessary activities so long as they comply, to the maximum extent possible, with Social Distancing Requirements for both employees and members of the public, including but not limited to, customers standing in line. All Essential Businesses are strongly encouraged to remain open.
2. All businesses other than Essential Businesses shall cease all activities within the County except:
  - i. Minimum Basic Operations; and
  - ii. business activities consisting of employees or contractors performing activities at their own Residences (*i.e.*, working from home). Businesses may provide pickup or delivery services so long as they otherwise comply with this Order.
3. No businesses or persons may operate or engage in a Prohibited Activity.

#### D. Travel

1. Any person may engage in Essential Travel and travel necessary to engage in Essential Activities. All other travel is prohibited.
2. People shall use public transit only for purposes of performing Essential Activities or to travel to and from work to operate Essential Businesses, Healthcare Operations, or to maintain Essential Governmental Functions or Minimum Basic Operations. People riding on public transit must comply with Social Distancing Requirements.
3. This Order allows travel into or out of the County to perform Essential Activities, operate Essential Businesses, or maintain Essential Governmental Functions or Minimum Basic Operations.

- E. Schools and Social Services Providing Food: Schools and other entities that ordinarily provide food services to students or members of the public may continue to do so under this Order provided that the food is provided to students or members of the public on a pick-up and take-away basis only. Schools and other entities, other than childcare facilities, that provide food services under this paragraph shall not permit the food to be eaten onsite.

- F. Exemptions: All 911 call center employees, fire personnel, corrections personnel, Fusion Center employees, hazardous material responders from government or the private sector, workers maintaining digital systems infrastructure supporting law

enforcement and emergency service operations, first responders, emergency management personnel, emergency dispatchers, court personnel, law enforcement personnel, and people designated by the County Executive who are necessary in the performance of Essential Government Functions are exempt from this Order to the extent such people are performing these functions.

- G. Access to Essential Governmental Functions: Nothing in this Order shall prohibit any individual from performing or accessing Essential Governmental Functions.
- H. Application with Other Laws: Unless otherwise specifically provided or suspended in this Order, any order of the Director of the Department of Public Health, or any Executive Order, this Order shall not supplant, supersede, replace, rescind, amend, or modify any other law, ordinance, rule, regulation, or permit condition or requirement, including but not limited to those that may apply to Essential Business or Essential Activities.
- I. Enforcement: In addition to the criminal enforcement authority of the Prosecuting Attorney, the County Counselor is delegated the authority to take appropriate actions with respect to any person or business that has failed to comply or attempted to fail to comply with this Order, including, after offering notice and an opportunity to be heard that are reasonable in the circumstances, reclassifying an Essential Business as a Disqualified Business, or other actions the County Counselor may deem appropriate to ensure compliance with this Order, to address non-compliance, or to deter non-compliance by others. For purposes of this paragraph, notice to an Essential Business is presumptively reasonable if it is in writing, gives the Essential Business an opportunity to respond within a time that is reasonable in the circumstances (not to be less than two hours), and is addressed either to the chief executive, general counsel, counsel of record, or registered agent of the Essential Business. The County Counselor may also seek emergency injunctive or other civil relief as the County Counselor deems appropriate. Any action by the County Counselor, if taken after consulting the Director of the Department of Public Health, shall be considered an emergency proceeding that is necessary to protect the public health and safety.

#### **V. Effective Date**

This Order shall become effective at 12:01 A.M. on Monday, March 23, 2020, and continue in effect through 11:59 P.M. on April 22, 2020. This Order shall not be enforced with respect to any person travelling to or at their place of business, work, or employment on March 23, 2020, so long as every such person shall reasonably comply with Social Distancing Requirements.

#### **VI. Savings Clause**

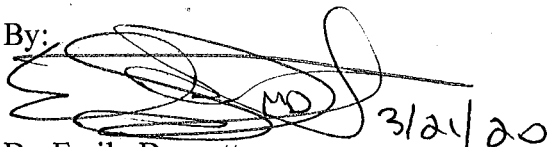
If any provision of this Order or its application to any person or circumstance is held to be invalid, then the remainder of the Order, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect. To this end, the provisions of this Order are severable.

**VII. Authorization**

This Order is authorized pursuant to Executive Orders 10 through 15, which are incorporated herein by reference, and to Missouri and St. Louis County law, including §§ 192.006, 192.200 and 192.300, RSMo., 19 CSR 20-20.050 of the Rules of the Department of Health and Senior Services.

So Ordered:

By:

A handwritten signature in black ink, appearing to be "EMD", with the date "3/21/20" written to its right.

Dr. Emily Doucette

Acting Director

Chief Medical Officer

St. Louis County Department of Public Health