

ORDER #2020-01  
OF THE CITY OF NIANGUA, MISSOURI  
RE-AFFIRMING A STATE OF EMERGENCY  
REQUESTING RESIDENTS OF THE CITY OF NIANGUA TO "STAY-AT-HOME"

WHEREAS, in December 2019, medical professionals detected a novel coronavirus, now designated as "SARS-CoV-2", which causes a disease known as "coronavirus disease 2019" abbreviated and popularly known as "COVID-19"; and

WHEREAS, on January 30, 2020, the World Health Organization Director General declared an outbreak of COVID-19 as a Public Health Emergency of International Concern, advising countries to prepare for containment, detection, isolation and case management, contact tracing and prevention of onward spread of the disease; and

WHEREAS, On March 11, 2020 the World Health Organization Director General characterized COVID-19 as a pandemic; and

WHEREAS, on March 13, 2020, the President of the United States declared the COVID-19 outbreak a national emergency; and

WHEREAS, COVID-19 is spread person to person through direct or close proximate contact, and presents an imminent threat of widespread illness and a threat to public health; and

WHEREAS, on March 25, 2020 Webster County Commission adopted Orders to "Stay – At – Home; and

WHILE, at this time, the City of Niangua has not had any confirmed cases of COVID-19 infection;

NOTWITHSTANDING, it is the judgment of the City of Niangua Board of Aldermen that the proximity of cities with confirmed cases and the nature of viral infection continues to present risks which reasonably appear to create a state of civil emergency which requires a response by the City to protect human life.

NOW, THEREFORE, I THE MAYOR OF NIANGUA, MISSOURI , DO HERBY PROCLAIM AND ORDER, that:

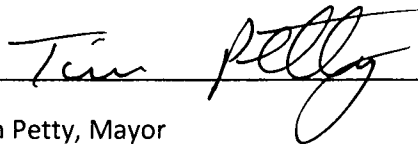
SECTION 1: Order #2020-01 dated March 25, 2020 is hereby enacted effective March 26, 2020 at 12:01 a.m. declaring a state of civil emergency exists in the City of Niangua, Missouri.

SECTION 2: The exercise of certain powers granted to the County Commissioners and County Health Boards in Missouri counties of the third classification by state statute in Section 192.300 appears reasonably necessary due to the local state of civil emergency, and are described in "Exhibit A", which is attached hereto and incorporated herein by this reference.

Section 3: The state of emergency shall expire April 24, 2020 to coincide with actions recently taken by the Missouri Department of Secondary and Elementary Education (DESE) in regard to the closure of area schools. This Order may be extended if necessary, or terminated upon subsequent Order declaring the emergency no longer exists.

Section 4: A copy of this Order shall be filed in the office of the Webster County Clerk by 5:30 pm this date and copies of said Order shall be printed and available for distribution to the public office of the County Clerk.

ADOPTED BY THE NIANGUA BOARD OF ALDERMEN ON THIS 25<sup>TH</sup> DAY OF MARCH 2020. AT 4 PM

  
\_\_\_\_\_  
Tim Petty, Mayor

Attest:

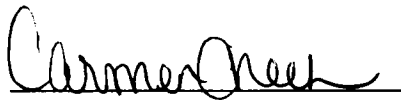
  
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Carmen Cheek, City Clerk

EXHIBIT A  
CIVIL EMERGENCY ORDER

I. Section One: Stay at Home Directive

- A. Individuals may leave their residences or place of rest only to perform "Essential Activities," as defined herein or to provide any services or perform any work necessary to the operations and maintenance of Essential Business, Minimum Basic Operations, or other enumerated exempted categories as prescribed by Order or other prevailing law. People at high risk of severe illness from COVID-19 are urged to stay in their residence or place of rest except as necessary to seek medical care and to obtain provision of essential life items. All individuals to exercise physical distancing requirements at all times.
- B. Exemptions. All persons working for or to support Essential Businesses are categorically exempt from this Order. Further, nothing in this Order shall prohibit any individual from performing or accessing "Essential Governmental Functions." Essential Government Functions means all services needed to ensure the continuing operation of any government agencies, including schools, and provide for the health, safety and welfare of the public. All Essential Governmental Functions should be performed in compliance with Physical Distancing Requirements as defined this Section, to the extent possible.

II. Section Two: Non-Essential Business and Other Non-Essential Operations

- A. All businesses and other operations in the City, except as defined herein as an Essential Business or exempted by force of law or Order, are required to suspend all in-person operations. Non-essential businesses and other operations may continue operations consisting exclusively of employees, contractors, or other agents of businesses performing activities at their own residences or places of rest. All essential business activities shall carry out to the greatest degree possible Centers for Disease Control ("CDC") recommended social distancing guidelines. This Order shall not apply to government agencies.

III. Section Three: Definitions and Exemptions

- A. Definitions. For purposes of this section, the following terms will have the meaning ascribed to them:
  - 1. "Essential Activities," shall mean:
    - a. To engage in Agriculture and agriculturally-related activities;

- b. To engage in activities or perform tasks essential to their health and safety, or to the health and safety of their family or household members (including, but not limited to, agricultural livestock & pets), or close personal acquaintances, such as, by way of example only and without limitation, obtaining medical supplies or medication, visiting a health care professional, or obtaining supplies they need to work from home;
  - c. To obtain necessary services or supplies for themselves and their family or household members, or close personal acquaintances, or to deliver those services or supplies to others, such as, by way of example only and without limitation, groceries and essential household goods and products, such as cleaning and personal care products and other products necessary to maintain the safety, sanitation, and essential operation of residences;
  - d. To engage in outdoor activity, provided the individuals comply with Physical Distancing Requirements as defined herein, such as, by way of example and without limitation, biking, walking, hiking, or running;
  - e. To perform work providing essential products and services at an Essential Business or to otherwise carry out activities specifically permitted in this Order, including Minimum Basic Operations, as defined herein, at Non-Essential Businesses; and
  - f. To care for a family member, close personal acquaintance, or agricultural livestock or pet in another household.
2. "Essential Businesses" means any for-profit, non-profit, or educational entity, regardless its corporate or entity structure, to the extent that a substantial element of its daily operations is included in the following activities:
- a. Construction, including critical home and building repairs;
  - b. Healthcare and public health services and supply manufacturing and distribution, including mental health and home health services, blood and plasma donation and related activities, and pharmacies but not including gyms and fitness centers. This should be construed broadly to avoid any impacts to the delivery of healthcare;
  - c. Veterinary care and other healthcare services for animals, including boarding;

- d. Food, shelter, and social services and other necessities of life for economically disadvantaged or otherwise needy individuals, such as those residing at shelters;
- e. Mortuary services, including funeral homes, crematoriums, and cemetery workers, except that not more than 10 persons at a time shall be allowed into a funeral, visitation, or wake;
- f. Home-based care for seniors, adults, or children;
- g. Law enforcement, emergency management, public safety, first responder, emergency dispatch, and security;
- h. Hazardous materials handling and cleanup;
- i. Agriculture and food cultivation, including farming, livestock, and fishing;
- j. Grocery stores, food banks, convenience stores and other establishments engaged in the retail sale of canned food, dry goods, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, and any other household products (such as cleaning and personal care products), provided that farmers' markets and produce stands may provide drive-thru or carry out services only. This includes stores that sell groceries and also sell other non-grocery products, and products necessary to maintain the safety, sanitation, and essential operation of residences and persons, and includes the retail sale and distribution of alcohol;
- k. Restaurant carry-out, drive-thru, and delivery services; entertainment, amusement, and recreation carry-out, drive-thru and delivery services provided they are food services; pick-up or take-away food services provided by a school;
- l. Energy, electricity, petroleum, natural and propane gas acquisition, production, generation, processing, storage, distribution, and retail distribution;
- m. Waste and wastewater maintenance and operation of infrastructure, including processing, treatment, conveyance, distribution, and trash services;
- n. Logistics and transportation of goods and people, including taxis and private transportation providers and businesses that ship or deliver foods, goods, or services directly to residences;

- o. Vehicle repair and maintenance facilities, including vehicle parts manufacturers and suppliers, including auto parts retailers;
- p. Public works support, inspection, and maintenance, including workers such as plumbers, electricians, and other service providers whose services are necessary to maintain safety, sanitation, and essential operation of residences and buildings, Essential Activities, and Essential Businesses;
- q. Public infrastructure support and maintenance;
- r. Communications infrastructure support and maintenance, including storefronts that sell or repair communication devices and media services, including radio, television, and print;
- s. Information technology development, management, support, and security, including client service centers;
- t. Inspection services for construction functions of new facilities and/or maintenance of existing buildings;
- u. Hotels, motels and bed and breakfasts, provided that they may not offer dining-in services;
- v. Critical manufacturing of materials and products needed for medical supply chains, transportation, energy, communications, food and agriculture, chemical manufacturing, water and wastewater treatment, emergency services, and the defense industrial base;
- w. Legal and critical financial services, including banks, and property services, including supportive activities such as appraisals, title searches, and inspections;
- x. Lawn, garden, and landscaping services and grass, weed, and vegetation removal; lawn, garden, and landscaping suppliers and retailers; and landscaping construction, excavating, and related services;
- y. Building supply stores;
- z. Laundromats, dry cleaners and laundry service providers;
- aa. Residential care facilities, including nursing homes and group homes;

- bb. Mailing and shipping services, including post office boxes; and private mailing and shipping service vendors and providers;
  - cc. Educational activities to support distance learning activities;
  - dd. Childcare facilities providing services that enable employees exempted in this Order to work as permitted. To the extent possible, childcare should be carried out in stable groups, preferably with 10 or fewer ("stable" means that the same 10 or fewer children are in the same group each day); children should not change from one group to another; if more than one group of children is cared for at one facility, each group should be in a separate room. Groups should not mix with each other; and childcare providers should remain solely with one group of children;
  - ee. Religious activity to support distance and/or virtual services provided fewer than 10 persons are in;
  - ff. "Minimum Basic Operations" of otherwise non-essential businesses, provided that employees comply with Physical Distancing Requirements as defined herein to the extent possible while carrying out such operations and which shall be limited to the following:
    - i. The minimum necessary activities to maintain the value of the business's inventory and facilities, ensure security, process payroll and employee benefits, or for related functions; and
    - ii. The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences, place of rest, or elsewhere;
  - gg. Direct support services necessary to ensure an essential business activity will not have to cease operation.
3. "Physical Distancing Requirements" includes maintaining at least a six-foot physical distance from other individuals, washing hands with soap and water for at least twenty seconds as frequently as possible or using hand sanitizer, regularly cleaning high-touch surfaces, and not shaking hands.