



**DOUGLAS COUNTY BOARD OF HEALTH
DOUGLAS COUNTY, NEBRASKA**



ORDER

WHEREAS, The Novel Coronavirus (COVID-19, also known as severe acute respiratory syndrome coronavirus 2, or “SARS-Cov-2”) has dramatically impacted the citizens of Douglas County, Nebraska; and

WHEREAS, Pursuant to Nebraska Revised Statute section 71-501 and Omaha Municipal Code, Article XII, section 12-23, the Douglas County Board of Health is authorized to promulgate rules and regulations concerning contagious, infectious, and malignant diseases in the county under its jurisdiction; and

WHEREAS, Pursuant to Nebraska Revised Statute section 71-1631(7), the Douglas County Board of Health has promulgated such regulations concerning public health and the prevention of communicable diseases within its jurisdiction as approved by the Nebraska Department of Health and Human Services and amended through March 18, 2020; and

WHEREAS, Pursuant to the Douglas County Rules and Regulations for the Prevention of Spread of Communicable Disease, Illness, or Poisoning, Section 4, the Director of the Douglas County Health Department (“the Director”) has the authority to implement Directed Health Measures, including protocols or measures as identified as effective against public health threats by the United States Department of Health and Human Services Centers for Disease Control and Prevention (“the CDC”); and

WHEREAS, Pursuant to the Omaha Municipal Code, Article XII, the Director has authority to issue such orders, regulations and instructions as may, in her judgment, limit the threat of an epidemic or contagious disease;

WHEREAS, On March 16, 2020, the CDC issued Interim Guidance for COVID-19, specifically warning against gatherings of more than ten (10) people for the next fifteen (15) days;

WHEREAS, The Director makes the following findings:

1. I have received information from the WHO, CDC and treating health care providers that the general public may have been exposed to a communicable disease.
2. I find that Directed Health Measures exist to effectively prevent, limit or slow the spread of communicable disease.
3. I further find that the disease presents a risk of death to any person; and that the exposure is wide--spread and poses a significant risk of harm to people in the general population; and that there is a particular subset of the population that is more vulnerable to the threat and thus at increased risk.

4. In assessing the nature of the risk presented, I further find that the threat is from a novel infectious agent.
5. I do hereby further find that a delay in the imposition of Directed Health Measures and evaluation would significantly jeopardize the ability to prevent or limit the transmission of a communicable disease and pose unacceptable risks to any person or persons.

WHEREAS, The Director hereby orders:

1. All public gatherings within the jurisdiction of the Douglas County Health Department with an expected presence of more than 10 individuals taking place between March 18, 2020 and April 30, 2020 are hereby prohibited. If a venue is subdivided into multiple spaces separated by physical walls or sufficient airspace, the limit per subdivision of space is 10.
2. It is further ordered that even for gatherings below this size, if a minimum social distance of six feet between attendees cannot be maintained in the venue or a subdivision thereof, the gathering is prohibited.
3. This Order does not apply to courts of law, medical providers, public utilities, critical county and city operations, continuity of business operations, logistics/distribution centers, congregate living settings, shelters, public transportation, airport travel, necessary shopping at fuel stations, stores or malls, or to family residences housing ten or more people. However, these settings are instructed to observe all applicable state and federal guidelines for infection control.
4. Daycare and childcare facilities must operate under the following mandatory conditions: A. Childcare must be carried out in stable groups of 10 or fewer children; "stable" means that the same 10 or fewer children are in the same group each day. B. Children shall not change from one group to another. C. If more than one group of children is cared for at one facility, each group shall be in a separate room. Groups shall not mix with each other. D. Childcare providers shall remain solely with one group of children.
5. This Order is issued as a result of the worldwide pandemic of COVID-19 disease, also known as "novel coronavirus," which has infected at least 197,000 individuals worldwide and is implicated in over 7,00 worldwide deaths. Douglas County has twenty (20) cases.
6. This Order is issued based on evidence of increasing transmission of COVID-19 both within the Douglas County, Nebraska and worldwide, scientific evidence regarding the most effective approach to slow transmission of communicable diseases generally and COVID-19 specifically, as well as best practices as currently known and available to protect the public from the risk of spread of or exposure to COVID-19.
7. This Order is intended to reduce the likelihood of exposure to COVID-19, thereby slowing the spread of COVID-19 in communities worldwide. As the presence of individuals increases, the difficulty and magnitude of tracing individuals who may have been exposed to a case rises exponentially, increasing the likelihood that such gatherings will impair efforts at mitigating the spread of the illness.
8. To the extent necessary, the Director requests that the Sheriff and all Chiefs of Police in the County ensure compliance with and enforcement of this Order. Pursuant to Nebraska Revised Statute sections 71-502 and 506 and Nebraska Administrative Code 173 sections 6-009 and 6-006, any person violating this order may be subject to a Class V Misdemeanor for each offense.

9. This Order is effective immediately.

Dated this 18th day of March, 2020



Dr. Adi Pour
Douglas County Health Director

DATED this 18th day of March, 2020.

Motion to adopt the Order regarding Coronavirus (COVID-19) Limit of 10 for gatherings by Ben Gray, seconded by Dr. Marty Wilken.

ADOPTED: March 18, 2020

YEAS: Rodgers, Weiss, Gray, Wilken, King

ABSENT: Wade, McNally, Filipi



Sunday Uribe, Recording Secretary