



## **Detroit Health Department**

Detroit, Michigan 48201

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Chief Public Health Officer

### **EMERGENCY ORDER FOR CONTROL OF EPIDEMIC**

This Order is made pursuant to Section 2453 of the Public Health Code, being MCL §333.2453. In response to the ongoing public health emergency and the risk posed by a resurgence of COVID-19, matters concerning the public health of the residents of the City of Detroit (“Detroit”) have been brought to the attention of Detroit’s Chief Public Health Officer (the “Local Health Officer”).

The Local Health Officer has determined that controls are necessary to reduce transmission of COVID-19 and to protect the public’s health in Detroit, based on the following facts and findings:

- A biological agent and/or the effects of a biological agent have been detected in Detroit.
- The communicable disease, SAR CoV-2, which causes COVID-19, has been identified, and it is known that this disease can be transmitted from person to person.
- Detroit residents are predominantly African American; infections and deaths in the Detroit area continue to rise, and the Centers for Disease Control and Prevention has stated, “Long-standing systemic health and social inequities have put many people from racial and ethnic minority groups at increased risk of getting sick and dying from COVID-19.”<sup>1</sup>
- In order to control and limit the spread of the communicable disease, it is necessary to prevent infected people from coming into contact with uninfected people.
- The spread of COVID-19 can be reduced with cloth face coverings, social distancing, and staying home when sick.
- The Centers for Disease Control and Prevention advises that cloth face coverings are recommended as a simple barrier to help prevent respiratory droplets from traveling into the air and onto other people when the person wearing the cloth face covering coughs, sneezes, talks, or raises their voice. This is called source control.

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<sup>1</sup> <https://www.cdc.gov/coronavirus/2019-ncov/community/health-equity/race-ethnicity.html>

- While the Local Health Officer appreciates and supports Governor Whitmer’s many executive orders aimed at controlling the spread of the novel coronavirus, there is uncertainty about the legal standing of these orders as well as the emergency order(s) issued by the Director of the Michigan Department of Health and Human Services.
- Residents of Detroit need clear guidance on how to protect themselves from COVID-19, and continuing the precautions found in executive and emergency orders on COVID-19 previously issued by the Governor and MDHHS will satisfy that need.

In light of these facts and findings, it is hereby ordered that:

**I. Face covering requirements**

1. Any individual who leaves their home or place of residence must wear a face covering over their nose and mouth:
  - a. When in any indoor public space;
  - b. When outdoors and unable to consistently maintain a distance of six feet or more from individuals who are not members of their household; and
  - c. When waiting for or riding on public transportation, while in a taxi or ride-sharing vehicle, or when using a private car service as a means of hired transportation.
  - d. No passenger may ride a DDOT bus without a proper face covering.
2. Although a face covering is strongly encouraged even for individuals not required to wear one, the requirement to wear a face covering does not apply to individuals who:
  - a. Are younger than five years old (and, per guidance from the Centers for Disease Control and Prevention (“CDC”), children under the age of two should not wear a mask);
  - b. Cannot medically tolerate a face covering;
  - c. Are eating or drinking while seated at a food service establishment;
  - d. Are exercising when wearing a face covering would interfere with the activity;
  - e. Are receiving a service for which temporary removal of the face covering is necessary;
  - f. Are entering a business or are receiving a service and are asked to temporarily remove a face covering for identification purposes;
  - g. Are communicating with someone who is deaf, deafblind, or hard of hearing and where the ability to see the mouth is essential to communication;
  - h. Are actively engaged in a public safety role, including but not limited to law enforcement, firefighters, or emergency medical personnel, and where wearing a mask would seriously interfere in the performance of their public safety responsibilities;
  - i. Are at a polling place for purposes of voting in an election;
  - j. Are officiating at a religious service; or
  - k. Are giving a speech for broadcast or to an audience, provided that the audience is at least six feet away from the speaker.
3. To protect workers, shoppers, and the community, no business, government office, or operation that is open to the public may provide service to a customer or allow a customer

to enter its premises, unless the customer is wearing a face covering as required by this order.

- a. Businesses that are open to the public must post signs at entrance(s) instructing customers of their legal obligation to wear a face covering while inside.
4. A department or agency that learns that a licensee is in violation of this section will consider whether the public health, safety or welfare requires summary, temporary suspension of the business's license to operate (including but not limited to a liquor license) under section 92 of the Administrative Procedures Act of 1969, 1969 PA 306, as amended, MCL 24.292 (2).
5. A business may not assume that someone who enters the business without a face covering falls in one of the exceptions specified here, including the exception for individuals who cannot medically tolerate a face covering. A business may, however, accept a customer's verbal representation that they are not wearing a face covering, because they fall within a specified exception.
6. For purposes of this order, neither child care centers nor day, residential, travel, or troop camps, as defined by Rule 400.11101 of the Michigan Administrative Code, are considered public spaces.
7. The protections against discrimination in the Elliott-Larsen Civil Rights Act, 1976 PA 453, as amended, MCL 37.2101 et seq., and any other protections against discrimination in Michigan law, apply in full force to individuals who wear a face covering under this order.
8. Nothing in this order shall be taken to abridge protections guaranteed by the state or federal constitution under these emergency circumstances, and no individual is subject to penalty for removing a mask while engaging in religious worship at a house of religious worship. Consistent with guidance from the CDC, congregants are strongly encouraged to wear face coverings during religious services.

## **II. Bars, Restaurants and Nightclubs**

1. Food service establishments, as defined in section 1107(t) of the Michigan Food Law, 2000 PA 92, as amended, MCL 289.1107(t), that hold on-premises retailer licenses to sell alcoholic beverages must close for indoor service if they earn more than 70% of their gross receipts from sales of alcoholic beverages.
2. Any food service establishment that serves alcoholic beverages for on-premises consumption must, both indoors and outdoors:
  - a. Require patrons to wear a face covering except when seated at their table or bar top (unless the patron is unable medically to tolerate a face covering);
  - b. Require patrons to remain seated at their tables or bar tops, except to enter or exit the premises, to order food, or to use the restroom;
  - c. Sell alcoholic beverages only via table service, not via orders at the bar except to patrons seated at the bar;
3. Food service establishments that are closed for indoor service under section 1 of this order but open for outdoor service must:
  - a. Prohibit patrons from entering the establishment, except to walk through in order to access the outdoor area, to leave the establishment, or to use the restroom; and
  - b. Require patrons to wear a face covering while inside, except for patrons who are unable medically to tolerate a face covering.

4. For purposes of calculating its percentage of gross receipts from sales of alcoholic beverages under section 1, a food service establishment must use:
  - a. Gross receipts from 2019; or
  - b. If the establishment was not in operation in 2019, gross receipts from the date the establishment opened in 2020.
5. Nothing in this order should be taken to prevent food service establishments from selling alcoholic beverages for off-premises consumption to patrons who are not seated at a table, or to require such patrons to remain seated when ordering such beverages.
6. Nothing in this order should be taken to prevent the holder of a social district license under section 551 of the Michigan Liquor Control Code, 1998 PA 58, as amended by Enrolled House Bill 5781 (100th Legislature, Regular Session of 2020), to be codified at MCL 436.1551:
  - a. From selling alcoholic beverages for consumption in a commons area within a designated social district to patrons who are not seated at a table; or
  - b. To require such patrons to remain seated when ordering such beverages.
7. All food service establishments must:
  - a. Prohibit access to common areas in which people can congregate, dance, or otherwise mingle;
  - b. Limit capacity to 50% of normal seating and require six feet of separation between parties or groups at different tables or bar tops;
  - c. Create communications material for customers (e.g., signs, pamphlets) to inform them of changes to restaurant or bar practices and to explain the precautions that are being taken to prevent infection.
  - d. Close waiting areas and ask customers to wait in cars whenever possible, or else outside the restaurant or bar, for a notification when their table is ready. Restaurants and bars should take measures to encourage social distancing among those customers waiting for tables who are not waiting in their cars.
  - e. Close self-serve food or drink options, such as buffets, salad bars, and drink stations.
  - f. Provide physical guides, such as tape on floors or sidewalks and signage on walls to ensure that customers remain at least six feet apart in any lines.
  - g. Post signs at store entrances informing customers not to enter if they are or have recently been sick.
  - h. Post signs instructing customers to wear face coverings until they are seated at their table.
  - i. Require hosts, servers, and staff to wear face coverings in the dining area.
  - j. Require employees to wear face coverings and gloves in the kitchen area when handling food, consistent with guidelines from the Food and Drug Administration (“FDA”).
  - k. Limit shared items for customers (e.g., condiments, menus) and clean high-contact areas after each customer (e.g., tables, chairs, menus, payment tools).
  - l. Train employees on:
    - i. Appropriate use of personal protective equipment in conjunction with food safety guidelines.
    - ii. Food safety health protocols (e.g., cleaning between customers, especially shared condiments).

- iii. How to manage symptomatic customers upon entry or in the restaurant.
  - m. Notify employees if the employer learns that an individual (including an employee, customer, or supplier) with a confirmed case of COVID-19 has visited the store.
  - n. Close restaurant immediately if an employee shows symptoms of COVID-19, defined as either the new onset of cough or new onset of chest tightness or two of the following: fever (measured or subjective), chills, myalgia, headache, sore throat, or disorders of taste or smell, and perform a deep clean, consistent with guidance from the FDA and the CDC. Such cleaning may occur overnight.
  - o. Install physical barriers, such as sneeze guards and partitions at cash registers, bars, host stands, and other areas where maintaining physical distance of six feet is difficult.
  - p. To the maximum extent possible, limit the number of employees in shared spaces, including kitchens, host stands, break rooms, and offices, to maintain at least a six-foot distance between employees.
4. Dance and topless activity permits issued under subsections 2 or 3 of section 916 of the Michigan Liquor Control Code, 1998 PA 58, as amended, MCL 436.1916(2) and (3), are temporarily suspended. Combination dance–entertainment permits and topless activity–entertainment permits issued under subsection 4 of section 916 of the Michigan Liquor Control Code, MCL 436.1916(4), are suspended to the extent they allow dancing and topless activity, but remain valid to the extent they allow other entertainment.

### **III. Gatherings and Events**

1. As used in this Order, the term “gathering” means any occurrence where persons from multiple households are present in a shared space in a group of two or more.
2. The restrictions imposed by this section do not apply to the incidental gathering of persons in a shared space, including an airport, bus station, factory floor, restaurant, shopping mall, public pool, or workplace.
3. Gatherings are permitted only as follows:
  - a. Indoor gatherings of up to 10 persons occurring at a residence are permitted (face coverings are strongly recommended for such gatherings);
  - b. Indoor gatherings of up to 10 persons occurring at a non-residential venue are permitted provided each person at the gathering wears a face covering;
  - c. Indoor gatherings of more than 10 and up to 500 people occurring at a nonresidential venue are permitted only to the extent that the organizers and venue:
    - i. In venues with fixed seating, limit attendance to 20% of seating capacity of the venue;
    - ii. In venues without fixed seating, limit attendance to 20 persons per 1,000 square feet in each occupied room;
    - iii. Require that each person gathered wears a face covering.
  - d. Outdoor gatherings of up to 100 persons occurring at a residence are permitted (face coverings are recommended for such gatherings);
  - e. Outdoor gatherings of up to 100 persons occurring at a non-residential venue are permitted provided that each person at the gathering wears a face covering;
  - f. Outdoor gatherings of more than 100 and up to 1,000 persons occurring at a nonresidential venue with fixed seating are permitted only to the extent that the organizers and venue:

- i. In venues with fixed seating, limit attendance to 30% of seating capacity;
  - ii. In venues without fixed seating, limit attendance to 30 persons per 1,000 square feet, including within any distinct area within the event space;
  - iii. Require that each person gathered wear a face covering.
4. Gatherings are permitted for the following purposes notwithstanding the requirements of subsection (3)(c):
  - a. Voting or election-related activities at polling places;
  - b. Training of law enforcement, correctional, medical, or first responder personnel, insofar as those activities cannot be conducted remotely;
  - c. Gatherings for the purpose of engaging in organized sports held in accordance with section X. of this Order.
  - d. Students in a classroom setting or children in a daycare setting.
5. Organizers and venues hosting gatherings permitted under subsection (3) of this section must ensure that persons not part of the same household maintain six feet of distance from one another, including by designing the gathering to encourage and maintain social distancing.

#### **IV. Work Places**

1. Any work capable of being effectively performed remotely (i.e., without the worker leaving his or her home or place of residence) is recommended to be performed remotely.
2. All businesses or operations that require their employees to leave the homes or residences for work must, at a minimum:
  - a. Develop a COVID-19 preparedness and response plan, consistent with recommendations in Guidance on Preparing Workplaces for COVID-19, developed by the Occupational Health and Safety Administration (“OSHA”) and available here. Within two weeks of resuming in-person activities, a business’s or operation’s plan must be made readily available to employees, labor unions, and customers, whether via website, internal network, or by hard copy.
  - b. Designate one or more worksite supervisors to implement, monitor, and report on the COVID-19 control strategies developed under subsection (a) of this section. The supervisor must remain on-site at all times when employees are present on site. An on-site employee may be designated to perform the supervisory role.
  - c. Provide COVID-19 training to employees that covers, at a minimum:
    - i. Workplace infection-control practices.
    - ii. The proper use of personal protective equipment.
    - iii. Steps the employee must take to notify the business or operation of any symptoms of COVID-19 or a suspected or confirmed diagnosis of COVID-19.
    - iv. How to report unsafe working conditions.
  - d. Provide any communication and training on COVID-19 infection control practices in the primary languages common in the employee population.
  - e. Place posters in the languages common in the employee population that encourage staying home when sick, cough and sneeze etiquette, and proper hand-hygiene practices.
  - f. Conduct a daily entry self-screening protocol for all employees or contractors entering the workplace, including, at a minimum, a questionnaire covering

symptoms and suspected or confirmed exposure to people with possible COVID-19.

- g. Keep everyone on the worksite premises at least six feet from one another to the maximum extent possible, including through the use of ground markings, signs, and physical barriers, as appropriate to the worksite.
- h. Provide non-medical grade face coverings to their employees, with supplies of N95 masks and surgical masks reserved, for now, for health care professionals, first responders (e.g., police officers, fire fighters, paramedics), and other critical workers.
- i. Require face coverings to be worn when employees cannot consistently maintain six feet of separation from other individuals in the workplace, and consider face shields when employees cannot consistently maintain three feet of separation from other individuals in the workplace.
- j. Require face coverings in shared spaces, including during in-person meetings and in restrooms and hallways.
- k. Increase facility cleaning and disinfection to limit exposure to COVID-19, especially on high-touch surfaces (e.g., door handles), paying special attention to parts, products, and shared equipment (e.g., tools, machinery, vehicles).
- l. Adopt protocols to clean and disinfect the facility in the event of a positive COVID-19 case in the workplace.
- m. Make cleaning supplies available to employees upon entry and at the worksite and provide time for employees to wash hands frequently or to use hand sanitizer.
- n. When an employee or known patron is identified with a confirmed case of COVID-19:
  - i. Immediately notify the Detroit Health Department via its COVID-19 Hotline at (313) 876-4000 and/or email [dhdoutbreak@detroitmi.gov](mailto:dhdoutbreak@detroitmi.gov) and
  - ii. Within 24 hours, notify any co-workers, contractors, or suppliers who may have come into contact with the person with a confirmed case of COVID-19.
- o. Allow employees with a confirmed or suspected case of COVID-19 to return to the workplace only after they are no longer infectious according to the latest guidelines from the Centers for Disease Control and Prevention (“CDC”) and they are released from any quarantine or isolation by the local public health department.
- p. Refrain from discharging, disciplining, or otherwise retaliating against employees who stay home or who leave work when they are at particular risk of infecting others with COVID-19.
- q. Establish a response plan for dealing with a confirmed infection in the workplace, including protocols for sending employees home and for temporary closures of all or part of the workplace to allow for deep cleaning.
- r. Restrict business-related travel for employees to essential travel only.
- s. Encourage employees to use personal protective equipment and hand sanitizer on public transportation.
- t. Promote remote work to the fullest extent possible.
- u. Adopt any additional infection-control measures that are reasonable in light of the work performed at the worksite and the rate of infection in the surrounding community.

3. **Outdoor work.** Businesses or operations whose work is primarily and traditionally performed outdoors must:
  - a. Prohibit gatherings of any size in which people cannot maintain six feet of distance from one another.
  - b. Limit in-person interaction with clients and patrons to the maximum extent possible, and bar any such interaction in which people cannot maintain six feet of distance from one another.
  - c. Provide and require the use of personal protective equipment such as gloves, goggles, face shields, and face coverings, as appropriate for the activity being performed.
  - d. Adopt protocols to limit the sharing of tools and equipment to the maximum extent possible and to ensure frequent and thorough cleaning and disinfection of tools, equipment, and frequently touched surfaces.
4. **Construction.** Businesses or operations in the construction industry must:
  - a. Conduct a daily entry screening protocol for employees, contractors, suppliers, and any other individuals entering a worksite, including a questionnaire covering symptoms and suspected or confirmed exposure to people with possible COVID-19, together with, if possible, a temperature screening.
  - b. Create dedicated entry point(s) at every worksite, if possible, for daily screening as provided in subsection (a) of this section, or in the alternative issue stickers or other indicators to employees to show that they received a screening before entering the worksite that day.
  - c. Provide instructions for the distribution of personal protective equipment and designate on-site locations for soiled face coverings.
  - d. Require the use of work gloves where appropriate to prevent skin contact with contaminated surfaces.
  - e. Identify choke points and high-risk areas where employees must stand near one another (such as hallways, hoists and elevators, break areas, water stations, and buses) and control their access and use (including through physical barriers) so that social distancing is maintained.
  - f. Ensure there are sufficient hand-washing or hand-sanitizing stations at the worksite to enable easy access by employees.
  - g. Notify contractors (if a subcontractor) or owners (if a contractor) of any confirmed COVID-19 cases among employees at the worksite.
  - h. Restrict unnecessary movement between project sites.
  - i. Create protocols for minimizing personal contact upon delivery of materials to the worksite.
5. **Manufacturing.** Manufacturing facilities must:
  - a. Conduct a daily entry screening protocol for employees, contractors, suppliers, and any other individuals entering the facility, including a questionnaire covering symptoms and suspected or confirmed exposure to people with possible COVID-19, together with temperature screening.
  - b. Create dedicated entry point(s) at every facility for daily screening as provided in subsection (a) of this section, and ensure physical barriers are in place to prevent anyone from bypassing the screening.
  - c. Train employees on, at a minimum:



- i. Routes by which the virus causing COVID-19 is transmitted from person to person.
      - ii. Distance that the virus can travel in the air, as well as the time it remains viable in the air and on environmental surfaces.
      - iii. The use of personal protective equipment, including the proper steps for putting it on and taking it off.
    - d. Reduce congestion in common spaces wherever practicable by, for example, closing salad bars and buffets within cafeterias and kitchens, requiring individuals to sit at least six feet from one another, placing markings on the floor to allow social distancing while standing in line, offering boxed food via delivery or pick-up points, and reducing cash payments.
    - e. Implement rotational shift schedules where possible (e.g., increasing the number of shifts, alternating days or weeks) to reduce the number of employees in the facility at the same time.
    - f. Stagger meal and break times, as well as start times at each entrance, where possible.
    - g. Install temporary physical barriers, where practicable, between workstations and cafeteria tables.
    - h. Create protocols for minimizing personal contact upon delivery of materials to the facility.
    - i. Adopt protocols to limit the sharing of tools and equipment to the maximum extent possible.
    - j. Ensure there are sufficient hand-washing or hand-sanitizing stations at the worksite to enable easy access by employees, and discontinue use of hand dryers.
    - k. Notify plant leaders and potentially exposed individuals upon identification of a positive case of COVID-19 in the facility, and maintain a central log for symptomatic employees or employees who received a positive test for COVID-19.
    - l. Send potentially exposed individuals home upon identification of a positive case of COVID-19 in the facility.
    - m. Require employees to self-report to plant leaders as soon as possible after developing symptoms of COVID-19.
    - n. Shut areas of the manufacturing facility for cleaning and disinfection, as necessary, if an employee goes home because he or she is displaying symptoms of COVID-19.
6. **Research labs.** Research laboratories, other than laboratories that perform diagnostic testing, must:
- a. Assign dedicated entry point(s) or times into lab buildings.
  - b. Conduct a daily entry screening protocol for employees, contractors, suppliers, and any other individuals entering a worksite, including a questionnaire covering symptoms and suspected or confirmed exposure to people with possible COVID-19, together with, if possible, a temperature screening.
  - c. Create protocols or checklists as necessary to conform to the facility's COVID-19 preparedness and response plan.
  - d. Establish and implement a plan for distributing face coverings.
  - e. Limit the number of people per square feet of floor space permitted in a particular laboratory at one time.

- f. Close open workspaces, cafeterias, and conference rooms.
  - g. As necessary, use tape on the floor to demarcate socially distanced workspaces and to create one-way traffic flow.
  - h. Require all office and dry lab work to be conducted remotely.
  - i. Minimize the use of shared lab equipment and shared lab tools and create protocols for disinfecting lab equipment and lab tools.
  - j. Provide disinfecting supplies and require employees to wipe down their work stations at least twice daily.
  - k. Implement an audit and compliance procedure to ensure that cleaning criteria are followed.
  - l. Establish a clear reporting process for any symptomatic individual or any individual with a confirmed case of COVID-19, including the notification of lab leaders and the maintenance of a central log.
  - m. Clean and disinfect the work site when an employee is sent home with symptoms or with a confirmed case of COVID-19.
  - n. Send any potentially exposed co-workers home if there is a positive case in the facility.
  - o. Restrict all non-essential work travel, including in-person conference events.
7. **Retail, libraries, and museums.** Retail stores that are open for in-store sales, as well as libraries and museums, must:
- a. Create communications material for customers (e.g., signs or pamphlets) to inform them of changes to store practices and to explain the precautions the store is taking to prevent infection.
  - b. Establish lines to regulate entry in accordance with subsection (c) of this section, with markings for patrons to enable them to stand at least six feet apart from one another while waiting. Stores should also explore alternatives to lines, including allowing customers to wait in their cars for a text message or phone call, to enable social distancing and to accommodate seniors and those with disabilities.
  - c. Except in Regions 6 and 8, adhere to the following restrictions:
    - i. Stores of less than 50,000 square feet of customer floor space must limit the number of people in the store (including employees) to 25% of the total occupancy limits established by the State Fire Marshal or a local fire marshal.
    - ii. Stores of 50,000 square feet or more must:
      - 1. Limit the number of customers in the store at one time (excluding employees) to 20 people per 1,000 square feet of customer floor space.
      - 2. Create at least two hours per week of dedicated shopping time for vulnerable populations, which for purposes of this order are people over 60, pregnant women, and those with chronic conditions such as heart disease, diabetes, and lung disease.
    - iii. The director of the Michigan Department of Health and Human Services is authorized to issue an emergency order varying the capacity limits described in this subsection as necessary to protect the public health.
  - d. Post signs at store entrances instructing customers of their legal obligation to wear a face covering when inside the store.

- e. Post signs at store entrances informing customers not to enter if they are or have recently been sick.
  - f. Design spaces and store activities in a manner that encourages employees and customers to maintain six feet of distance from one another.
  - g. Install physical barriers at checkout or other service points that require interaction, including plexiglass barriers, tape markers, or tables, as appropriate.
  - h. Establish an enhanced cleaning and sanitizing protocol for high-touch areas like restrooms, credit-card machines, keypads, counters, shopping carts, and other surfaces.
  - i. Train employees on:
    - i. Appropriate cleaning procedures, including training for cashiers on cleaning between customers.
    - ii. How to manage symptomatic customers upon entry or in the store.
  - j. Notify employees if the employer learns that an individual (including a customer or supplier) with a confirmed case of COVID-19 has visited the store.
8. **Offices.** Offices must:
- a. Assign dedicated entry point(s) for all employees to reduce congestion at the main entrance.
  - b. Provide visual indicators of appropriate spacing for employees outside the building in case of congestion.
  - c. Take steps to reduce entry congestion and to ensure the effectiveness of screening (e.g., by staggering start times, adopting a rotational schedule in which only half of employees are in the office at a particular time).
  - d. Increase distancing between employees by spreading out workspaces, staggering workspace usage, restricting non-essential common space (e.g., cafeterias), providing visual cues to guide movement and activity (e.g., restricting elevator capacity with markings).
  - e. Prohibit social gatherings and meetings that do not allow for social distancing or that create unnecessary movement through the office. Use virtual meetings whenever possible.
  - f. Provide disinfecting supplies and require employees wipe down their workstations at least twice daily.
  - g. Post signs about the importance of personal hygiene.
  - h. Disinfect high-touch surfaces in offices (e.g., whiteboard markers, restrooms, handles) and minimize shared items when possible (e.g., pens, remotes, whiteboards).
  - i. Institute cleaning and communications protocols when employees are sent home with symptoms.
  - j. Notify employees if the employer learns that an individual (including a customer, supplier, or visitor) with a confirmed case of COVID-19 has visited the office.
  - k. Restrict all non-essential travel, including in-person conference events.
9. **Health care.** Outpatient health-care facilities, including clinics, primary care physician offices, dental offices, and veterinary clinics, must:
- a. Post signs at entrance(s) instructing patients to wear a face covering when inside.

- b. Limit waiting-area occupancy to the number of individuals who can be present while staying six feet away from one another and ask patients, if possible, to wait in cars for their appointment to be called.
  - c. Mark waiting rooms to enable six feet of social distancing (e.g., by placing X's on the ground and/or removing seats in the waiting room).
  - d. Enable contactless sign-in (e.g., sign in on phone app) as soon as practicable.
  - e. Add special hours for highly vulnerable patients, including the elderly and those with chronic conditions.
  - f. Conduct a common screening protocol for all patients, including a temperature check and questions about COVID-19 symptoms.
  - g. Place hand sanitizer and face coverings at patient entrances.
  - h. Require employees to make proper use of personal protective equipment in accordance with guidance from the CDC and OSHA.
  - i. Require patients to wear a face covering when in the facility, except as necessary for identification or to facilitate an examination or procedure.
  - j. Install physical barriers at sign-in, temperature screening, or other service points that normally require personal interaction (e.g., plexiglass, cardboard, tables).
  - k. Employ telehealth and telemedicine to the greatest extent possible.
  - l. Limit the number of appointments to maintain social distancing and allow adequate time between appointments for cleaning.
  - m. Employ specialized procedures for patients with high temperatures or respiratory symptoms (e.g., special entrances, having them wait in their car) to avoid exposing other patients in the waiting room.
  - n. Deep clean examination rooms after patients with respiratory symptoms and clean rooms between all patients.
  - o. Establish procedures for building disinfection in accordance with CDC guidance if it is suspected that an employee or patient has COVID-19 or if there is a confirmed case.
10. **In-home services.** All businesses or operations that provide in-home services, including cleaners, repair persons, painters, and the like, must:
- a. Require their employees (or, if a sole-owned business, the business owner) to perform a daily health screening prior to going to the job site.
  - b. Maintain accurate appointment record, including date and time of service, name of client, and contact information, to aid with contact tracing.
  - c. Limit direct interaction with customers by using electronic means of communication whenever possible.
  - d. Prior to entering the home, inquire with the customer whether anyone in the household has been diagnosed with COVID-19, is experiencing symptoms of COVID-19, or has had close contact with someone who has been diagnosed with COVID-19. If so, the business or operation must reschedule for a different time.
  - e. Limit the number of employees inside a home to the minimum number necessary to perform the work in a timely fashion.
  - f. Ensure that gloves are worn when practical and disposed of in accordance with guidance from the CDC.

11. **Personal-care services.** All businesses or operations that provide barbering, cosmetology services, body art services (including tattooing and body piercing), tanning services, massage services, or similar personal-care services must:
  - a. Maintain accurate appointment and walk-in records, including date and time of service, name of client, and contact information, to aid with contact tracing.
  - b. Post signs at store entrances informing customers not to enter if they are or have recently been sick.
  - c. Restrict entry to customers, to a caregiver of those customers, or to the minor dependents of those customers.
  - d. Require in-use workstations to be separated by at least six feet from one another and, if feasible, separate workstations with physical barriers (e.g., plexiglass, strip curtains).
  - e. Limit waiting-area occupancy to the number of individuals who can be present while staying six feet away from one another and ask customers, if possible, to wait in cars for their appointment to be called.
  - f. Discontinue all self-service refreshments.
  - g. Discard magazines in waiting areas and other non-essential, shared items that cannot be disinfected.
  - h. Mark waiting areas to enable six feet of social distancing (e.g., by placing X's on the ground and/or removing seats in the waiting room).
  - i. Require employees to make proper use of personal protective equipment in accordance with guidance from the CDC and OSHA.
  - j. Require employees and customers to wear a face covering at all times, except that customers may temporarily remove a face covering when receiving a service that requires its removal. During services that require a customer to remove their face covering, an employee must wear a face shield or goggles in addition to the face covering.
  - k. Install physical barriers, such as sneeze guards and partitions at cash registers, where maintaining physical distance of six feet is difficult.
12. **Public accommodations.** Sports and entertainment facilities, including arenas, cinemas, concert halls, performance venues, sporting venues, stadiums and theaters, as well as places of public amusement, such as amusement parks, arcades, bingo halls, bowling centers, skating rinks, and trampoline parks, must:
  - a. Post signs outside of entrances informing customers not to enter if they are or have recently been sick.
  - b. Maintain accurate records, including date and time of entry, names of patrons, and contact information, to aid with contact tracing; and deny entry to any visitor who does not provide at a minimum their name and phone number.
  - c. Mandate wearing of facial coverings at all times while in the facility.
  - d. Establish crowd-limiting measures to meter the flow of patrons (e.g., digital queuing, delineated waiting areas, parking instructions, social distance markings on ground or cones to designate social distancing, etc.).
  - e. Use physical dividers, marked floors, signs, and other physical and visual cues to maintain six feet of distance between persons.

- f. Limit seating occupancy to the extent necessary to enable patrons not of the same household to maintain six feet of distance from others (e.g., stagger group seating upon reservation, close off every other row, etc.).
  - g. For sports and entertainment facilities, establish safe exit procedures for patrons (e.g., dismiss groups based on ticket number, row, etc.).
  - h. For sports and entertainment facilities, to the extent feasible, adopt specified entry and exit times for vulnerable populations, as well as specified entrances and exits.
  - i. Train employees who interact with patrons (e.g., ushers) on how to:
    - i. Monitor and enforce compliance with the facility's COVID-19 protocols.
    - ii. Help patrons who become symptomatic.
  - j. Frequently disinfect high-touch surfaces during events or, as necessary, throughout the day.
  - k. Disinfect and deep clean the facility after each event or, as necessary, throughout the day.
  - l. Close self-serve food or drink options, such as buffets, salad bars, and drink stations.
- 13. Sports and exercise facilities.** Gymnasiums, fitness centers, recreation centers, exercise facilities, exercise studios, bowling centers, roller rinks, ice rinks, and like facilities must:
- a. Use best efforts to provide opportunities for patrons to exercise outdoors.
  - b. Maintain accurate records, including date and time of entry and exit, names of patrons, and contact information, to aid with contact tracing; and deny entry to any visitor who does not provide at a minimum their name and phone number.
  - c. Mandate wearing of facial coverings at all times except when swimming.
  - d. Limit capacity in the facility to 25% of the total occupancy limits established by the State Fire Marshal or a local fire marshal.
  - e. Configure workout stations or implement protocols to enable six feet of distance between individuals during exercise sessions.
  - f. Reduce class sizes, as necessary, to enable at least six feet of separation between individuals, and comply with relevant restrictions on social gatherings and organized events in Executive Order 2020-183, Safe Start, or any order that follows from it.
  - g. Provide equipment-cleaning products throughout the facility for use on equipment.
  - h. Make hand sanitizer, disinfecting wipes, soap and water, or similar disinfectant readily available.
  - i. Regularly disinfect exercise equipment, including immediately after use. If patrons are expected to disinfect, post signs encouraging patrons to disinfect equipment.
  - j. Ensure that ventilation systems operate properly.
  - k. Increase introduction and circulation of outdoor air as much as possible by opening windows and doors, using fans, or other methods.
  - l. Regularly clean and disinfect public areas, locker rooms, and restrooms.
  - m. Close steam rooms, saunas, hot tubs, and cold plunge pools.
  - n. Post signs outside of entrances instructing individuals not to enter if they are or have recently been sick.
- 14. Pools.** Swimming pools must:
- a. If they are outdoors, limit capacity to 50% of the bather capacity limits described in Rule 325.2193 of the Michigan Administrative Code.

- b. If they are indoors, limit capacity to 25% of the bather capacity limits described in Rule 325.2193 of the Michigan Administrative Code.
  - c. Limit capacity on the pool deck to ensure that persons not part of the same household maintain six feet of distance from one another.
15. **Meat and poultry processing.** Meat and poultry processing plants must:
- a. Conduct a daily entry screening protocol for employees, contractors, suppliers, and any other individuals entering the facility, including a questionnaire covering symptoms and suspected or confirmed exposure to people with possible COVID-19, together with temperature screening.
  - b. Create at least one dedicated entry point at every facility for daily screening as provided in subsection (a) of this section, and ensure physical barriers are in place to prevent anyone from bypassing the screening.
  - c. Configure communal work environments so that employees are spaced at least six feet apart in all directions (e.g., side-to-side and when facing one another).
  - d. Require employees to wear a face covering whenever present at the facility, except when removal is necessary to eat or drink.
  - e. Provide clean cloth face coverings or disposable mask options for employees to use when the coverings become wet, soiled, or otherwise visibly contaminated over the course of a workday.
  - f. Use face shields in addition to face coverings as necessary when engineering and administrative controls are difficult to maintain and there may be exposure to other workplace hazards, such as splashes or sprays of liquids on processing lines.
  - g. Install physical barriers, such as strip curtains, plexiglass, or other impermeable dividers or partitions, to separate meat and poultry processing employees from each other.
  - h. Take measures to ensure adequate ventilation in work areas to help minimize employees' potential exposures.
  - i. Encourage single-file movement with a six-foot distance between each employee through the facility.
  - j. Stagger employees' arrival, departure, break, and lunch times to avoid congregations of employees in parking areas, locker rooms, lunch areas, and near time clocks.
  - k. Provide visual cues (e.g., floor markings, signs) as a reminder to employees to maintain social distancing.
  - l. Designate employees to monitor and facilitate social distancing on the processing floor.
  - m. Reduce processing capacity or modify the processing or production lines or stagger workers across shifts to minimize the number of employees in the facility at any one time.
  - n. Adopt sick leave policies that discourage employees from entering the workplace while sick and modify any incentive programs that penalize employees for taking sick leave.
  - o. Group employees together in cohorts, if feasible, in a manner that allows a group of employees to be assigned to the same shifts with the same coworkers, so as to minimize contacts between employees in each cohort.

- p. If an employee becomes or reports being sick, disinfect the workstation used and any tools handled by the employee.
- q. Provide personal protective equipment that is disposable if possible or else, if reusable equipment is provided, ensure proper disinfection and storage in a clean location when not in use.

**16. Casinos.** Casinos must:

- a. Conduct a daily entry screening protocol for customers, employees, contractors, suppliers, and any other individuals entering the facility, including a questionnaire covering symptoms and suspected or confirmed exposure to people with possible COVID-19, together with temperature screening.
- b. Limit and enforce patron occupancy of 15% of total occupancy limits established by the State Fire Marshal or a local fire marshal.
- c. Designate entry points and exit points with extensive signage of the directional flow of patrons.
- d. Place signs at each entrance point, cage, and throughout the casino reminding patrons of CDC guidelines for social distancing practices, proper washing of hands, wearing face coverings, and to stay at home if feeling ill or sick.
- e. Require patrons to wear a face covering, except while eating or drinking or for identification purposes.
- f. Prohibit smoking indoors.
- g. Designate a Liaison Officer (or Officers), identify such Officer (or Officers) to all casino employees, and require any employee who believes they may have contracted COVID-19 or been exposed to COVID-19 to report this to an Officer.
- h. Stagger break schedules and employee starting and ending times to the extent possible to avoid congregation of individuals in back-of-house areas.
- i. Provide frequent opportunities for employees to wash and/or sanitize their hands to reduce the risk of surface transmission.
- j. In addition to the cleaning required under subsection 1(k), clean and disinfect all high-touch objects that are accessible to the public (e.g., ATMs, counters, door handles, elevator panels and buttons, restrooms, dining tables, employee break rooms, carts, chairs, table rails, trash bins, light switches, phones, kiosks, time clocks, etc.).
- k. Provide disinfecting wipes throughout the casino to enable patrons to disinfect frequently touched surfaces.
- l. Place hand sanitizer stations in high traffic areas, including throughout the casino floor and employee break rooms.
- m. Regularly maintain HVAC systems and maximize the delivery of fresh air into the facility.
- n. Frequently disinfect slot machines, provide wipe dispensaries for slot machines, and post signs encouraging patrons to wipe down slot machines before and after use.
- o. Enable social distancing between slot machines by either:
  - i. Installing a plexiglass barrier between slot machines.
  - ii. Disabling machines or removing chairs from machines as necessary to maintain six feet of distance between machines in operation.
- p. Require employees and customers to wear face coverings while in the casino.



- q. Require casino employees who provide food and drink service on the casino floor to follow the rules described in section 8 of this order, which governs servers at restaurants, including but not limited to, the wearing of face coverings.
  - r. Close the following services or offerings:
    - i. Nightclubs.
    - ii. Valet service.
    - iii. Coat check.
    - iv. Self-serve buffets and self-serve soda and coffee stations.
  - s. Follow any infection-control guidance provided by the Michigan Gaming Control Board, including, but not limited to, any guidance on the conduct of table games.
17. **Recordkeeping.** Employers must maintain a record of the requirements set forth in subsections 1(c) (training), 1(f) (screening protocol), and 1(n) (required notifications).

## V. Residential Care Facilities

1. Except as otherwise provided by the order of the Director of the Department of Health and Human Services (DHHS), all health care facilities, residential care facilities, congregate care facilities, and juvenile justice facilities must prohibit from entering their facilities any visitors that: are not necessary for the provision of medical care, the support of activities of daily living, or the exercise of power of attorney or court-appointed guardianship for an individual under the facility's care; are not a parent, foster parent, prospective adoptive parent, or guardian of an individual who is 21 years of age or under and who is under the facility's care; are not visiting an individual under the facility's care that is in serious or critical condition or in hospice care; and are not visiting under exigent circumstances or for the purpose of performing official governmental functions.
2. All health care facilities, residential care facilities, congregate care facilities, and juvenile justice facilities must perform a health evaluation of all individuals that are not under the care of the facility each time the individual seeks to enter the facility, and must deny entry to those individuals who do not meet the evaluation criteria. The evaluation criteria must include, at a minimum, symptoms of a respiratory infection, such as fever, cough, or shortness of breath; contact in the last 14 days with someone with a confirmed diagnosis of COVID-19; and other criteria specified by the Director of DHHS.
3. Any staff member or visitor of a residential care facility, congregate care facility, or juvenile justice facility must wear a covering over his or her nose and mouth when indoors or within six feet of another person.
4. While the restrictions of this order are in place, all health care facilities, residential care facilities, congregate care facilities, and juvenile justice facilities must make best efforts to facilitate visitations with individuals under their care by phone or other electronic communication platforms to the fullest extent possible, consistent with normal visitation policies.
5. For purposes of this order, "residential care facilities" includes, but is not limited to, homes for the aged, nursing homes, adult foster care facilities, hospice facilities, substance abuse disorder residential facilities, independent living facilities, and assisted living facilities.
6. The Director of DHHS may issue orders and directives to implement this order, including to specify exceptions to section 1 of this order, and to specify additional evaluation criteria under section 2 of this order.

## **VI. Pre-K – Grade 12 Education for 2020 - 2021 School Year**

1. **Preparedness Plan.** Every school district and nonpublic school must develop and adopt a COVID-19 Preparedness and Response Plan (“Preparedness Plan”) that is informed by the Michigan Return to School Roadmap from the COVID-19 Task Force on Education and Return to School Advisory Council (“Return to School Roadmap”). The plan must, at a minimum:
  - a. Describe the policies and procedures that the district will follow when the region in which the district is located is in Phase 1, 2, or 3 of the Michigan Safe Start Plan. (Nonpublic schools are exempt from this subsection.) Those policies and procedures must, at a minimum:
    - i. Require the closure of school buildings to anyone except:
      1. District employees or contractors necessary to conduct minimum basic school operations consistent with a Preparedness Plan, including those employers or contractors necessary to facilitate alternative modes of instruction, such as distributing materials and equipment, or performing other necessary in-person functions.
      2. Food-service workers preparing food for distribution to students or their families.
      3. Licensed child-care providers and the families that they serve.
    - ii. Suspend athletics, after-school activities, inter-school activities (e.g., debate competitions), and busing.
    - iii. Offer alternative modes of instruction other than in-person instruction and a summary of materials each student and the student’s parents or guardians will need to meaningfully access the alternative modes of instruction included in the Preparedness Plan. If the Preparedness Plan relies on electronic instruction, the Preparedness Plan must consider how the district will aid students who lack access to computers or to the internet.
    - iv. Provide for the continuation of food distribution to eligible students.
    - v. Provide for the continued pay of school employees while redeploying staff to provide meaningful work in the context of the Preparedness Plan, subject to any applicable requirements of a collective bargaining agreement.
2. All schools must require the wearing of face coverings, except during meals and unless face coverings cannot be medically tolerated, for:
  - a. All staff and all students in grades pre-kindergarten and up when on a school bus.
  - b. All staff and all students in grades pre-kindergarten and up when in indoor hallways and common areas.
  - c. All staff when in classrooms.
  - d. All students in kindergarten and up when in classrooms.
3. All schools must prohibit indoor assemblies that bring together students from more than one classroom.
4. Incorporate the Return to School Roadmap’s required protocols governing hygiene, cleaning, athletics, screening, testing protocols, and busing and student transportation.

5. School districts and nonpublic schools must publish information about any cases of a probable or confirmed COVID-19 positive individual present on school property or at a school function during the period of infection, in the manner prescribed by the Michigan Department of Health and Human Services (MDHHS).
6. All schools, public and private, must cooperate with the local public health department if a confirmed case of COVID-19 is identified, and in particular must collect the contact information for any close contacts of the affected individual from two days before he or she showed symptoms to the time when he or she was last present at the school. A school representative must also immediately notify the Detroit Health Department via its COVID-19 Hotline at (313) 876-4000 and/or email [dhdoutbreak@detroitmi.gov](mailto:dhdoutbreak@detroitmi.gov)
7. **Definitions.**
  - a. “Alternative modes of instruction” means modes of student instruction, other than in-person instruction, that may include, without limitation, partnerships with other districts or intermediate districts or community colleges or institutions of higher education, use of vendors, use of online learning, telephone communications, email, virtual instruction, videos, slideshows, project-based learning, use of instructional packets, or a hybrid of multiple modes of learning that still promote recommended practices for social distancing to mitigate the spread of COVID-19.
  - b. “District” means a school district established under the Revised School Code or a public school academy. “District” does not include an intermediate district, except for an intermediate district that educates PreK–12 students.
  - c. “Intermediate district” means an intermediate school district established under part 7 of the Revised School Code, MCL 380.601 to 380.705b.
  - d. “Public school academy” means that term as defined in section 5 of the Revised School Code, MCL 380.5.
  - e. “Superintendent of Public Instruction” or “Superintendent” means the superintendent of public instruction described in section 3 of article 8 of the Michigan Constitution of 1963.

## **VII. Parks.**

1. Unless otherwise prohibited by local regulation, outdoor parks and recreational facilities may be open, provided that they make any reasonable modifications necessary to enable employees and patrons not part of the same household to maintain six feet of distance from one another, and provided that areas in which social distancing cannot be maintained are closed, subject to guidance issued by the City of Detroit Parks and Recreation Department.

## **VIII. Conducting Government Business**

1. To the extent that the Open Meetings Act (“OMA”), 1976 PA 267, as amended, MCL 15.261 to 15.272, requires that a meeting of a public body be held in a physical place available to the general public or requires the physical presence of one or more members of a public body, strict compliance with section 3 of the OMA, MCL 15.263, is temporarily suspended in order to alleviate any such physical-place or physical-presence requirements, as follows:

- a. A meeting of a public body may be held electronically, including by telephonic conferencing or video conferencing, in a manner in which both the general public and the members of the public body may participate by electronic means.
- b. A meeting of a public body held electronically must be conducted in a manner that permits two-way communication so that members of the public body can hear and be heard by other members of the public body and so that general public participants can hear members of the public body and can be heard by members of the public body and other participants during a public comment period. The public body may use technology to facilitate typed public comments that may be read to or shared with members of the public body and other participants to satisfy the requirement that members of the public can be heard by others during the meeting.
- c. Members of a public body and of the general public participating electronically will be considered present and in attendance at the meeting and may participate in the meeting as if physically present at the meeting.
- d. All persons must be permitted to participate in any meeting of a public body held electronically, except as otherwise provided in the OMA.
- e. If a public body directly or indirectly maintains an official internet presence, the public body must, consistent with and in addition to any other applicable notice requirements under the OMA, post advance notice of a meeting held electronically on a portion of the public body's website that is fully accessible to the public. The public notice on the website must be included on either the homepage or on a separate webpage dedicated to public notices for non-regularly scheduled public meetings or electronic meetings and accessible through a prominent and conspicuous link on the website's homepage that clearly describes its purpose for public notification of those non-regularly scheduled or electronic public meetings. Notice of a meeting of a public body that will be held electronically must include all of the following:
  - i. An explanation of the reason why the public body is meeting electronically.
  - ii. Detailed procedures by which the public may participate in the meeting remotely, including a telephone number, internet address, or both.
  - iii. Procedures by which persons may contact members of the public body to provide input or ask questions on any business that will come before the public body at the meeting.
  - iv. Procedures by which persons with disabilities may participate in the meeting.
- f. The right of a person to participate in a meeting of a public body held electronically includes the right to tape-record, to videotape, to broadcast live on radio, and to telecast live on television the proceedings of the public body at a public meeting. The exercise of this right does not depend on the prior approval of the public body. However, a public body may establish reasonable rules and regulations to minimize the possibility of disrupting the meeting.
- g. A public body may not require a person as a condition of participating in a meeting of the public body held electronically to register or otherwise provide

- his or her name or other information or otherwise to fulfill a condition precedent to attendance, other than mechanisms necessary to permit the person to participate in a public comment period of the meeting.
- h. A person must be permitted to address a meeting of a public body held electronically under rules established and recorded by the public body. A person must not be excluded from a meeting held electronically otherwise open to the public except for a breach of the peace actually committed during the meeting.
  - i. During a meeting of a public body held electronically, members of the public body are urged to take all votes by roll call to avoid any questions about how each member of the public body votes.
  - j. If a public body holding a meeting electronically directly or indirectly maintains an official internet presence, the public body is encouraged to make available to the general public through the public body's website homepage an agenda and other materials relating to the meeting.
  - k. Members of the general public otherwise participating in a meeting of a public body held electronically may be excluded from participation in a closed session of the public body held electronically during that meeting if the closed session is convened and held in compliance with the requirements of the OMA applicable to a closed session.
2. If a decision or other action of a public body complies with the requirements of this part and the requirements of the OMA not suspended by this part, it must be considered to comply with the OMA.
  3. If a statute or rule other than the OMA requires that public comments be permitted or a public hearing be held, including in conjunction with the issuance of a permit or a hearing required under the Uniform Budgeting and Accounting Act, 1968 PA 2, as amended, MCL 141.421 et seq., a public body or department or agency may provide a means for remote public comment or participation through the use of any technology that would facilitate a member of the general public's ability to participate remotely to the same extent as if the member of the general public appeared in person. If not expressly authorized by statute or rule, written comment, including by electronic means, is also permitted.
  4. Strict compliance with subsection 6 of section 11a, subsection 7 of section 384, and subsection 1 of section 418a of the Revised School Code, 1976 PA 451, as amended, MCL 380.11a(6), MCL 380.384(7), and MCL 380.418a(1), is temporarily suspended so as not to require school district boards to hold meetings at least once each month.
  5. A public body holding a meeting electronically as provided under this part is encouraged to do so in a manner that effectuates as fully as possible the purposes of the OMA, which include promoting government accountability and fostering openness in government to enhance responsible decision-making. Discussions or deliberations at an open meeting that cannot at a minimum be heard by the general public participating in the meeting are contrary to these purposes. Accordingly, members of a public body must avoid using email, texting, instant messaging, and other such electronic forms of communication to make a decision or deliberate toward a decision, and must avoid "round-the-horn" decision-making in a manner not accessible to the public at an open meeting.
  6. Nothing in this part permits a public body to limit or restrict the rights of the press or other news media. Members of public bodies are encouraged to facilitate access by members of

the press and other news media both to meetings held electronically and to members of public bodies.

7. As used in this part, the terms “decision,” “meeting,” and “public body” mean those terms as defined under section 2 of the OMA, MCL 15.262, except this part does not apply to state legislative bodies.

**IX. Religious worship**

1. Neither a place of religious worship nor its owner is subject to penalty under this Order for allowing religious worship at such place. No individual is subject to penalty under this Order for engaging in religious worship at a place of religious worship.

**X. Food-Selling Establishments and Pharmacies**

1. Food-selling establishments and pharmacies (meaning grocery stores, convenience stores, restaurants that sell groceries or food available for takeout, and any other business that sells food) must:
  - a. Provide access to handwashing facilities, including those available in public restrooms;
  - b. Allow employees sufficient break time to wash hands as needed;
  - c. Use best efforts to ensure checkout employees disinfect their hands between orders to prevent cross-contamination;
  - d. Use best efforts to provide employees and customers access to an alcohol-based hand sanitizer that contains at least 60% alcohol, as recommended by the Centers for Disease Control and Prevention (CDC);
  - e. Use best efforts to provide disinfecting wipes at cash registers and entrance points for customers to disinfect carts and baskets, as well as at other appropriate locations;
  - f. Ensure that both employees and customers remain at least six feet apart to the maximum extent possible, including during employee breaks, for example by reviewing floor plans, creating temporary barriers, designating aisles as one-way only, and demarcating queueing distances;
  - g. Close self-serve prepared food stations such as salad bars;
  - h. Eliminate free samples and tasting stations;
  - i. Adopt procedures to meet the environmental cleaning guidelines set by the CDC, including by cleaning and disinfecting frequent touchpoints throughout the day such as point of sale terminals at registers, shopping carts, and shopping baskets;
  - j. Prohibit employees who are sick from reporting to work and send employees home if they display symptoms of COVID-19;
  - k. Accommodate employees who fall within a vulnerable population by providing lower-exposure work assignments or giving them the option to take an unpaid leave of absence with a return date of October 31, 2020 or later. Nothing in this Order abrogates any right to disability benefits. Employees who take an unpaid leave of absence as described in this subsection are encouraged to apply for unemployment benefits
  - l. Close to the public for sufficient time each night to allow stores to be properly sanitized;

- m. Encourage cash transactions to be processed at self-checkout kiosks when possible;
- n. Grocery stores and pharmacies must create at least two hours per week of dedicated shopping time for vulnerable populations, which for purposes of this order are people over 60, pregnant people, and those with chronic conditions, including heart disease, diabetes, and lung disease; and
- o. Require vendors moving between food-selling establishments to frequently clean and disinfect frequent touch points.

**XI. Organized sports.**

- a. For purposes of this order, “organized sports” means competitive athletic activity requiring skill or physical prowess and organized by an institution or association that sets and enforces rules to ensure the physical health and safety of all participants (“sports organizer” or “sports organizers”).
- b. Athletes participating in an organized sport, while on the field of play, are not subject to the social distancing requirements of this order found in sections 2(a) and 6(a)(1), but instead must maintain six feet of distance from one another to the extent compatible with that organized sport, and wear a facial covering except when swimming. Sports organizers shall ensure that athletes comply with this subsection for each organized sporting event.
- c. Sports organizers should follow the guidance of the Michigan Department of Health and Human Services regarding whether and how a sport can be played safely.

**XII. Child-care centers and camps**

- 1. All child-care organizations and day, residential, travel, and troop camps for children must require the wearing of face coverings that cover the nose and mouth for:
  - a. All staff and all children ages 2 and up when on a school bus or other transportation provided by the child care organization or camp;
  - b. All staff and all children ages 4 and up when in indoor hallways and common 3 areas. Face coverings should be encouraged for children ages 2 and up; and
  - c. All staff and all children ages 12 and up when in classrooms, homes, cabins, or similar indoor settings. Face coverings should be encouraged for children ages 2 and up.
  - d. All visitors to the child-care organization or camp.
- 2. Exceptions. Notwithstanding section 1, face coverings at child-care organizations and camps are not required:
  - a. For children under the age of 2;
  - b. For any child who cannot medically tolerate a face covering, has trouble breathing, or is unable to remove the face covering without assistance;
  - c. While eating, sleeping, swimming, or performing high-intensity activities (not including singing or cheering);
  - d. When a child or staff member is outdoors and able to consistently maintain a distance of six feet or more from individuals who are not members of their household; or
- 3. Any child or staff member who does not wear a face covering pursuant to an exception in section 2 is strongly encouraged to wear a face shield when indoors with other people from

outside their household and when outdoors and unable to maintain six feet of distance from other people outside their household.

4. For purposes of providing child-care services, child-care organizations and camps may use facilities that are otherwise closed to the public.

### **XIII. Restoring Water Service**

1. A public water supply must restore water service to any occupied residence where water service has been shut off due to non-payment, so long as the public water supply does not have reason to believe that reconnection would create a risk to public health (e.g., due to cross-contamination). To facilitate the restoration of water service, a public water supply must immediately make best efforts to determine which occupied residences within their service areas do not have water service. For purposes of this order, a public water supply's "service area" means the area for which the public water supply collects payment for water service.
2. If a public water supply determines that any occupied residences within its service area have had water service shut off for any reason other than non-payment or that reconnection would create a risk to public health, it must make best efforts to remedy such conditions and restore water service to such occupied residences as soon as possible.
3. Any public water supply that has not submitted a report that meets all of the requirements described in section 3 of Executive Order 2020-28 must submit a supplemental report every 30 days until it submits a report that meets all of those requirements. The requirements are as follows:
  - a. An account of what efforts have been made to determine which occupied residences within the public water supply's service area do not have water service.
  - b. The number of occupied residences within the public water supply's service area that do not have water service as a result of a shutoff due to non-payment.
  - c. The number of occupied residences within the public water supply's service area that do not have water service as a result of any reason other than non-payment.
  - d. A certification, if true, that best efforts have been exercised to determine which occupied residences within the service area do not have water service; that, to the best of the public water supply's knowledge, no occupied residences have their water service shut off due to non-payment; that the public water supply has reconnected water service for all occupied residences that can be reconnected without creating a potential risk to public health; and that the public water supply has exercised best efforts to remedy the conditions that prevent reconnection due to a risk to public health.
4. Nothing in this order abrogates the obligation of a resident to pay for water, prevents a public water supply from charging any customer for water service, or reduces the amount a resident may owe to a public water supply.

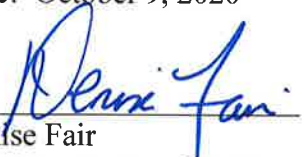
### **XIV. General Provisions**

1. This order is effective immediately and shall remain in effect until further order of the Local Health Officer or until the Local Health Officer has certified that the COVID-19 epidemic has abated.



2. A provision of this order will prevail over any conflicting provision of a local charter, ordinance, or rule.
3. Pursuant to MCL 333.2443, “a person who violates a regulation of a local health department or order of a local health officer under this act is guilty of a misdemeanor punishable by imprisonment for not more than 6 months or a fine of not more than \$200.00, or both.”
4. Nothing in this order should be taken to modify, limit, or abridge protections provided by state or federal law for a person with a disability.
5. Pursuant to MCL 333.2235(1), local health departments are authorized to carry out and enforce the terms of this order.
6. Law enforcement officers, as defined in the Michigan Commission on Law Enforcement Standards Act, 1965 Public Act 203, MCL 28.602(f), are deemed to be “department representatives” for purposes of enforcing this order, and are specifically authorized to investigate potential violations of this order. They may coordinate as necessary with the appropriate regulatory entity and enforce this order within their jurisdiction.
7. If any provision of this order is found invalid by a court of competent jurisdiction, whether in whole or in part, such decision will not affect the validity of the remaining part of this order.

Date: October 9, 2020

  
Denise Fair  
Chief Public Health Officer  
City of Detroit