

RESOLUTION NUMBER: 2020- 19

**A RESOLUTION PROVIDING FOR LESS STRINGENT REQUIREMENTS FOR
KIOWA COUNTY, KANSAS THAN THE PROVISIONS OF GOVERNOR'S
EXECUTIVE ORDER 20-68.**

WHEREAS, On November 18, 2020 the Governor of the State of Kansas signed Executive Order 20-68, establishing a face coverings protocol; and

WHEREAS, Executive Order 20-68 provides that the provisions of paragraphs 2 through 5 of the Executive Order 20-68 do not apply to counties and municipalities in which a local ordinance or order requires that face coverings be worn in public places and in businesses.

WHEREAS, K.S.A. 48-925(h), as amended by House Bill 2016, provides that, "The board of county commissioners of any county may issue an order relating to public health that includes provisions that are less stringent than the provisions of an executive order effective statewide issued by the governor. Any board of county commissioners issuing such an order must make the following findings and include such findings in the order:

(1) The board has consulted with the local health officer or other local health officials regarding the governor's executive order;

(2) following such consultation, implementation of the full scope of the provisions in the governor's executive order are not necessary to protect the public health and safety of the county; and

(3) all other relevant findings to support the board's decision;" and

WHEREAS, the Board of County Commissioners of Kiowa County, Kansas have consulted with the Kiowa County Health Officer regarding Governor's Executive Order 20-68; and

WHEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF KIOWA COUNTY, KANSAS, that the Board of County Commissioners of Kiowa County, Kansas finds, and orders as follows:

1. That after consultation with the Kiowa County Health Officer, the Board of County Commissioners of Kiowa County, Kansas find that implementation of the full scope of the provisions in the Governor's Executive Order 20-68 are not necessary to protect the public health and safety of Kiowa County;

2. However, the Board of County Commissioners of Kiowa County, Kansas, finds that implementation of an order regarding face coverings specifically tailored for Kiowa County's needs is appropriate at this time;
3. Therefore, the Board of County Commissions of Kiowa County, Kansas, orders the following effective at 12:01 a.m. on Wednesday, November 25, 2020:
 - a. Any person in Kiowa County shall wear a face covering the mouth and nose when they are in the following situations:
 - i. Inside or entering into any indoor public space.
 - ii. While outdoors in public spaces and unable to maintain a 6-foot distance between individuals (not including individuals that reside together) with only infrequent or incidental moments of closer proximity.
 - b. All businesses or organizations in Kiowa County must require all employees, customers, visitors, members of the public to wear a face covering when:
 - i. Employees are working in a space where food is prepared or packaged for sale or distributed to others
 - ii. Employees are in any room or enclosed area where other people (except for individuals who reside together) are present and unable to maintain a 6-foot distance except for infrequent or incidental moments of closer proximity.
 - c. EXCEPTIONS: The following are exempt from wearing masks or other face coverings:
 - i. Persons age two years or under
 - ii. Persons with a medical condition, mental health condition, or disability that prevents wearing a face covering
 - iii. Persons for whom wearing a mask could create a risk to the person, related to work, or while engaged in organized sports or activities as determined by local, state or federal regulators or workplace safety guidelines or by a professional or recreational association, regulatory entity, medical association, or other public-health oriented entity.
 - iv. Persons who are eating and drinking at an establishment once they are seated.

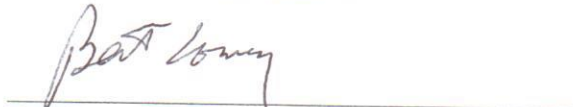
- i. Persons who are engaged in athletics or exercise activities that allows the individual to maintain 6-foot distance between individuals (not including individuals that reside together) with only infrequent or incidental moments of closer proximity.
- ii. Persons engaged in any lawful activity during which wearing a face covering is prohibited by law.

Passed and Adopted this 20th day of November 2020

BOARD OF COUNTY COMMISSIONERS OF KIOWA COUNTY, KANSAS:


Ron Freeman, Chairman

John Bertram, Vice-Chairman


Bert Lowery

Attest 
Kristi Cooper, County Clerk