

**ORDINANCE NO. 2021- 18**

**AN ORDINANCE REGARDING THE MONROE COUNTY BOARD OF HEALTH  
LOCAL HEALTH ORDER REGARDING COVID-19**

WHEREAS, the Monroe County Health Board issued a local health order to reduce the risks caused by the COVID-19 global pandemic; and,

WHEREAS, recent State Legislation requires the County Legislative Body to approve a local health order relating to a state declared emergency that is more stringent than the Governor's executive order; and,

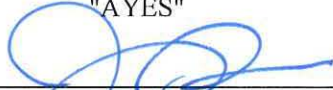
WHEREAS, the County Commissioners find the local health order to be in the best interest of the County and Community.

BE IT THEREFORE ORDAINED BY THE BOARD OF COMMISSIONERS OF MONROE COUNTY, INDIANA the local health order attached as exhibit A is approved.


Duly adopted by the following vote of the members of the Monroe County Commissioners, this 28<sup>th</sup> day of April, 2021.

**BOARD OF COMMISSIONERS OF MONROE COUNTY**

"AYES"



Julie Thomas, President



Lee Jones, Vice President



Penny Githens, Commissioner

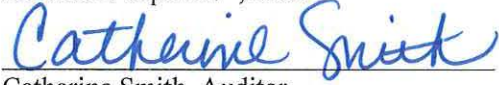
"NAYS"

Julie Thomas, President

Lee Jones, Vice President

Penny Githens, Commissioner

ATTEST: April 27<sup>th</sup>, 2021



Catherine Smith, Auditor



## Monroe County Health Department

Monroe County, Indiana

Health Department	Futures Family Planning Clinic	Public Health Clinic
119 W. 7th Street (812) 349-2543	119 W. 7th Street (812) 349-7343	333 E. Miller Drive (812) 353-3244

### MONROE COUNTY PUBLIC HEALTH REGULATION, UPDATED TO TAKE EFFECT ON APRIL 7, 2021 at 12:00 p.m./Noon

PURSUANT TO STATE AND LOCAL LAW, INCLUDING INDIANA CODE § 16-20-1 et seq.

In light of the fact that the COVID-19 pandemic continues nationwide and in Monroe County, new variants are being identified, and the vaccination process is underway, but is not yet completed, the Monroe County Board of Health ("Board"), in cooperation and collaboration with Health Officer Dr. Thomas W. Sharp and the Monroe County Health Department, hereby UPDATES its orders as follows, effective Wednesday, April 7, 2021 at 12:00 p.m./Noon: These orders will remain in effect through May 28 unless rescinded or extended before May 28.

1. Regardless of changes to the State of Indiana's rules or regulations, Monroe County shall continue to follow the State of Indiana's Guidelines by Color, which were previously developed and listed on the State's website. The infection rate in Monroe County continues to fluctuate and, at times, increase, despite the availability of the vaccination; therefore, the Board deems it necessary to continue to enforce regulations based on the color scheme in order to protect the public health. To the extent required by law, the Board grants to the Monroe County Health Administrator and the Health Officer Thomas W. Sharp, the ability to adjust restrictions - in any particular area - as required, in order to protect the public health or to adjust restrictions, which may no longer be necessary in their professional opinions.
2. Fully vaccinated persons may follow the Center for Disease Control and Prevention guidance (CDC). Unless an exception as stated in Paragraph 3, below, applies, ALL individuals must wear a face shield, face covering, or mask (collectively referred to, hereinafter, as "face covering") over their nose and mouth when in an indoor place other than their own home or the home of an immediate family member or when outdoors in a situation where adequate physical distancing of at least 6 feet is not possible (including outdoor public gatherings). *While a face shield is made of a harder, plastic-like material, an acceptable face covering or mask under this Order means a covering made of cloth, fabric, or other soft or permeable material that completely covers the nose and mouth and surrounding areas of the lower face.* Persons unable to pay for a face covering should contact the Monroe County Health





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Department, the Office of Emergency Management, or the Office of the Monroe County Commissioners and one will be supplied at no cost. This face covering requirement generally applies in all situations below, unless specifically and explicitly exempted below.

3. This requirement does not apply to the following exceptions provided they are factually and legitimately applicable to an individual:
  - a. Children who are two years of age or younger.
  - b. Individuals who are hearing or speaking impaired and for whom a face covering is an obstacle to communication.
  - c. Individuals who are unable to wear a face covering for a documented physical, medical, or health-related reason.
  - d. Individuals in a hospital, doctor's office, dentist's office, or other health care facility, in circumstances where wearing a face covering would be an impediment to receiving proper care, as designated by the healthcare provider.
  - e. Individuals who are alone in an indoor space, such as in an office, or in a work-space and are physically distanced from all other co-workers. When unable to physically distance from others, a face covering is required.
  - f. Individuals who are traveling in personal vehicles.
  - g. Individuals for whom wearing a face covering would present a risk to their safety while at work, as determined by local, state, or federal workplace safety regulations.
  - h. Individuals who are incarcerated.
  - i. Individuals who are engaged in a form of indoor, aerobic exercise that is incompatible with wearing a face covering, including swimming.
  - j. Individuals who are seated at a restaurant, bar, or other establishment that serves food and/or drink. However, individuals entering and exiting restaurants or bars, or congregating in waiting areas or common areas of restaurants or bars (including bathrooms), must wear face coverings.
  - k. Individuals who are engaged in outdoor physical exercise, including running, jogging, walking, bicycling, or swimming, if in groups of less than 25.
  - l. Bona fide emergency situations in which a person lacks the time or the means to put on a face covering before entering an indoor or outdoor public space. Individuals who are outdoors and are maintaining at least 6 feet of distance from others who are not part of their household.





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4. All businesses and public accommodations which are open to the public must ensure that all customers and/or visitors are complying with the face covering and physical-distancing requirements of Paragraph 2 above. Businesses or public accommodations that fail to enforce compliance with face covering and physical-distancing requirements in Paragraph 2 are subject to enforcement action, *up to and including closure*.
5. When individuals must interact with one another outside their own home, including at work, and at essential and non-essential businesses, they should observe the following precautions:
  - a. Maintain a distance of at least 6 feet from other individuals who are not part of their own household;
  - b. Wash their hands with soap and water for at least 20 seconds as frequently as possible, or use hand sanitizer with at least 60% alcohol when soap and water are not available;
  - c. Cover all coughs and sneezes with a tissue that can then be disposed;
  - d. Disinfect frequently used surfaces;
  - e. Avoid sharing food, drinks, and utensils;
  - f. Refrain from sharing office supplies and equipment (such as pens, staplers, and computer keyboards);
  - g. Frequently clean communal office equipment (such as printers and copiers);
  - h. Increase ventilation of indoor spaces, by opening windows or adjusting air conditioning, as much as possible;
  - i. Hold all necessary meetings by telephone or videoconference whenever possible; and
  - j. Refrain from shaking hands or engaging in other physical contact with the hands or face of another person.
6. For academic and extra-curricular activities, all K-12 schools in Monroe County should follow the guidelines of the CDC, Indiana Department of Education (IDOE), and the Indiana State Department of Health (ISDH), and in consultation with the Monroe County Health Department, even if the requirements differ from those contained herein. Nothing, however, precludes schools from adopting rules or





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regulations consistent with these requirements. Childcare, pre-school, and pre-K programs should follow the guidelines of the CDC.

7. The following businesses shall follow any and all Orders issued by the Governor of Indiana and shall also follow the requirements in Paragraph 2. The requirements in Paragraph 2 apply, despite the fact that they are more restrictive than requirements established by the Governor's Orders:
  - a. Shopping malls and other retail stores, including liquor stores and convenience stores;
  - b. Restaurants, bars, nightclubs (see also requirements in Paragraphs 9 & 10);
  - c. Personal services businesses, such as salons, barber shops, nail salons, spas, massage businesses, and tattoo parlors, except for those who are receiving a service where a mask is incompatible with the service and only while receiving the service;
  - d. All religious services, indoors and outdoors, except for those who are formally presenting and are physically distanced from others (no face-covering required for those presenters);
  - e. Campgrounds and youth summer day camps;
  - f. Community swimming pools;
  - g. Gyms, fitness centers, yoga & dance studios, and martial arts studios;
  - h. Golf course facilities and golf club houses;
  - i. Sports venues and raceway events;
  - j. Cultural, entertainment, and tourism sites, including zoos, museums, and parks; and
  - k. Conventions & conferences.
  
8. Gathering sizes ENFORCED BY MONROE COUNTY, applicable to all commercial and *non-commercial* gathering or events are limited to fifty (50) people. Commercial events or gatherings include those held at venues that are, in the normal course of business, offered to the general public for rent or use. Non-commercial events or gatherings include private gatherings or those held at a personal residences (including fraternities and sororities located in the City of Bloomington and on or off the Indiana University campus). Gatherings in either category shall be no more than fifty (50) people. Any person or organization may apply to the Monroe





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County Health Department for an exemption from the gathering size limit. The application for the exemption is attached to this Regulation as Exhibit A. The Health Department will only approve an exemption if the applicant demonstrates that the gathering allows for appropriate physical distancing and use of face coverings. Face covering and physical distancing requirements in Paragraph 2 apply to these gatherings. Please note that any limitation to gathering size put in place by the City of Bloomington shall be subject to City enforcement. Monroe County will not enforce City of Bloomington limitations.

9. Restaurants, bars, and entertainment/music venues must follow the following guidelines:
  - a. They must have and require table-top seating for all patrons and must require patrons to remain seated at tables and masked unless those patrons are actively eating or drinking. This means that patrons must wear masks when ordering and when staff are serving patrons, in order to keep both staff and patrons as safe as possible.
  - b. Party size must be limited to ten (10) people or fewer at each table. Back-to-back seating with Plexiglas type barriers may replace the necessity of six (6) foot social distancing rule.
  - c. Restaurants are encouraged to use outdoor seating where possible.
  - d. No standing, congregating, or dancing shall be allowed in the establishment boundaries or parameters.
  - e. Restaurants with bars may NOT operate bar-top service as allowed by the State of Indiana, at this time. This will be reviewed by the Board of Health and/or the Health Officer and modified after COVID numbers in Monroe County show a pattern of decline and/or stabilization for a sufficient period of time, such that they believe it is safe to allow bar-top service.
  - f. Clear floor-markings must be put in place to indicate where the single bar-top ordering line may begin. Six (6)-foot markings must be placed on the floor, and the line must be formed in such a manner to keep patrons safely six-feet or more) distanced from other seated guests. Groups of seated patrons and those patrons standing in line for bar service must be spaced at least six (6) feet apart.
  - g. Air ventilation should be increased to maximum capacity, or at least six (6) air changes per hour. It is recommended that filters be replaced with those designed to address COVID-19 issues.





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- h. It is recommended that patrons not wait indoors in establishments for an available table, but that a reservation system be utilized, which calls patrons upon the availability of their table.
- i. There shall be no self-service, buffet-style food service in restaurants if/when Monroe County is in a yellow, orange, or red status. Staff may serve patrons in a cafeteria-style fashion when in yellow. Even when in a blue status, the Board recommends limiting self-service and buffet-style food service in order to limit exposure and keep patrons and staff as safe as possible.
- j. Bars and restaurants, which serve alcoholic beverages, shall close no later than 2:00 a.m. each day. Restaurants, which do not serve alcoholic beverages, are not subject to the early closure.
10. This Regulation applies on property owned by Ivy Tech and Indiana University, as long as adopted by their required authorities, but does not apply on other State-owned property. Ivy Tech and Indiana University have the legal authority to impose even stricter requirements than are imposed here.
11. Violations of this Regulation are subject to penalties as provided by the Monroe County Code, including but not limited to Chapters 305 and 115, and may be enforced by any local or state law enforcement agency or any agent authorized by the Monroe County Board of Health, Health Department, or Monroe County Board of Commissioners. Nothing in this Regulation gives individual residents the authority to intimidate or harass individuals who do not voluntarily comply or who are found out of compliance with this Regulation.
12. It is Monroe County's intent to educate and gain voluntary compliance by all persons in Monroe County. Notices of Ordinance Violations, with penalties as allowed by Monroe County Code, should be issued only as a last resort and if voluntary compliance may not be achieved. A Class C Ordinance Violation is subject to a fine of up to Five Hundred Dollars (\$500.00) per violation, per day; however, it is recommended that an individual, per-person fine for a single violation of this Regulation be imposed in the amount of Fifty Dollars (\$50.00). It is recommended that fines for group violations be levied in a higher amount.







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13. This Regulation supplements any existing regulations and shall be in effect until rescinded.

**Celinda Kay Leach**

Digitally signed by Celinda Kay Leach  
DN: cn=Celinda Kay Leach, o=Monroe County Health Department,  
ou=Health, email=healthdept2@co.monroe.in.us, c=US  
Date: 2021.04.07 12:58:33 -04'00'

Celinda Kay Leach, RN

Chair of the Monroe County Health Board of Directors

