

PUBLIC HEALTH DISASTER PROCLAMATION 5.26.20 SUMMARY

On Tuesday, May 26, 2020, Governor Reynolds issued a supplemental proclamation that continues to ease restrictions statewide. The new proclamation goes into effect Friday, May 28, 2020, at 12:01 a.m. and remains in effect until Wednesday, June 17, 2020 at 11:59 p.m. unless otherwise noted. Below is a brief synopsis from our in-house legal counsel on the Governor's most recent proclamation. As always, please defer to your local county or city attorney for specific legal guidance.

Mass gatherings of more than 10 people **MAY BE HELD** effective **June 1, 2020**, through June 17, 2020, under the following conditions:

- Mass gatherings:
 - The gathering organizer must limit the number of participants present at any indoor venue to 50% of its normal operating capacity.
 - The gathering organizer must limit the number of participants in any outdoor venue with grandstands or other permanent seating to 50% of its normal operating capacity, and the number of participants in other outdoor settings to a number that permits the social distancing requirements.
 - The gathering organizer must ensure at least 6 feet of physical distance between each group and/or individuals attending alone.
 - The gathering organizer must implement social distancing, hygiene, and public health measures consistent with IDPH guidance and, for any food or beverage service, DIA guidance.
- Non-school sporting and recreational events:
 - Practices, games, and competitions for baseball, softball, and individual sports such as running, biking, swimming, tennis, and golf are not prohibited even where athletes may have some contact within 6 feet, provided the organizers take reasonable measures under the circumstances to ensure reasonable social distancing.
- Spiritual and religious gatherings, including any funerals or weddings, are allowed so long as the establishments implement social distancing, hygiene, and public health measures consistent with IDPH guidance.

Mass gatherings will continue to be limited to 10 people, with the exception of spiritual and religious gatherings, **until May 31, 2020**.

The following **new** businesses may **OPEN** statewide effective **May 28, 2020**, until June 17, 2020, under the following conditions:

- Restaurants and **bars**
 - Including wedding reception venues, wineries, distilleries, county clubs and other fraternal clubs;
 - Establishments are limited to 50% of normal operating capacity to ensure adequate spacing of groups;
 - The establishment must limit party sizes seated together to no more than 10 people;
 - All patrons must have a seat at a table or bar, and an establishment must limit patrons from congregating together closer than 6 feet;
 - The establishment must ensure at least 6 feet of physical distancing between each group or individual dining or drinking alone;

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- Seating at booths closer than 6 feet may satisfy this requirements if the booths are separated by a barrier of sufficient height to fully separate seated customers.
- No self-service of food;
- An establishment may have live music performances, provided that any performer remains at least 6 feet away from patrons and other performers and the establishment does not permit patrons from congregating together closer than 6 feet;
- Establishments must implement social distancing, hygiene, and public health measures consistent with IDPH guidance and, for any food or beverage service, DIA guidance;
- Bars may still offer sealed containers of wine, beer, alcoholic liquors, or cocktails for consumption off the premises if the beverages are promptly taken from the premises.

The following **new** businesses may **OPEN** statewide effective **June 1, 2020**, until June 17, 2020, under the following conditions:

- Outdoor performance venues for live performances
 - Capacity limited to 50% of its normal operating capacity to ensure adequate spacing of groups;
 - The establishment must ensure at least 6 feet of physical distance between each group and individuals attending alone when seated;
 - Establishments must implement social distancing, hygiene, and public health measures consistent with IDPH guidance and, for any food or beverage service, DIA guidance.
- Casino and gaming facilities
 - Capacity on the gaming floor and wagering area limited to 50% of its gaming or wagering positions as determined by the Racing and Gaming Commission;
 - The establishment must ensure that all wagering and gaming positions are spaced at least 6 feet apart or take other appropriate measures to ensure that more closely spaced positions are not used. Positions closer than 6 feet may satisfy this requirement if the positions are separated by a barrier of sufficient height to fully separate patrons at each positions;
 - Establishments must implement social distancing, hygiene, and public health measures consistent with IDPH guidance and, for any food or beverage service, DIA guidance.
 - The establishment shall not have any self-service food, including buffets or salad bars.
- Amusements (bingo hall, bowling alley, pool hall, arcade, and amusement park)
 - Establishments are limited to 50% of their maximum legal occupancy capacity;
 - Establishments must implement social distancing, hygiene, and public health measures consistent with IDPH guidance.
- Skating rinks and skate parks
 - Establishments are limited to 50% of their maximum legal occupancy capacity;

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- Establishments must implement social distancing, hygiene, and public health measures consistent with IDPH guidance.
- Outdoor playgrounds.

The following businesses shall remain **CLOSED** until June 17, 2020:

- Live Performance Theaters: All indoor theaters (except movie theaters) and other indoor performance venues;
- Senior citizen centers and adult daycare facilities;
- Indoor playgrounds.

The following **previously opened** businesses may continue to operate under the following conditions until June 17, 2020 (changes noted in **bold and underlined**):

- Racetracks
 - **No spectators can attend events in person until June 1, 2020;**
 - The establishment must limit the number of patrons present in any grandstands or permanent seating to 50% of its normal operating capacity to ensure adequate spacing of groups;
 - The establishment must ensure at least 6 feet of physical distance between each group;
 - Establishments must implement social distancing, hygiene, and public health measures consistent with IDPH guidance and, for any food service, DIA guidance.
- Farmers Markets
 - Commodities which can be offered for sale are limited to farm products and food;
 - The sale of all other goods or services is prohibited;
 - Children's entertainment, activities, and contests are prohibited. **Live music is permitted.**
 - Common seating areas are prohibited;
 - Vendors must be spaced at least six feet apart;
 - Social distancing, hygiene, and public health measures must be followed consistent with guidance issued by the IDPH, IDALS, DIA, and ISU Extension.
- Auctions
 - **Will be treated as mass gatherings (explained above);**
 - **Indoor venue capacity is limited to 50% of its normal operating capacity;**
 - **Outdoor venues with grandstands or other permanent seating are limited to 50% of the normal operating capacity, and otherwise, the gathering organizer must ensure 6 feet of physical distance for each group and/or individual attending alone.**
- Fitness centers:
 - Capacity limited to 50% of its maximum legal occupancy capacity;
 - The establishment must ensure that all equipment is spaced at least 6 feet apart;
 - **Group activities or classes must be limited to a number of people that permits maintaining a distance of 6 feet apart;**

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- Establishments must implement social distancing, hygiene, and public health measures consistent with IDPH guidance.
- Malls:
 - Malls are limited to 50% of their maximum legal occupancy capacity;
 - All common seating areas, such as food courts, shall remain closed. Restaurants in food courts may operate on a carry-out basis;
 - Play areas must remain closed;
 - Malls must implement social distancing, hygiene, and public health measures consistent with IDPH guidance.
- Other retail establishments
 - A retail establishment previously closed may reopen, but at 50% of its maximum legal occupancy capacity and the retail establishment must implement social distancing, hygiene, and public health measures consistent with IDPH guidance.
- Salons and barbershops:
 - Capacity limited to 50% of its maximum legal occupancy capacity;
 - The salon/barbershop must operate on an appointment basis to ensure the public is not gathering in the waiting area;
 - The salon/barbershop must ensure that all customers are at least 6 feet apart when performing cosmetology practices;
 - Salons/barbershops must implement social distancing, hygiene, and public health measures consistent with IDPH guidance.
- Medical Spas
 - If PPE requirements are met.
- Tanning facilities
 - Establishments must implement social distancing, hygiene, and public health measures consistent with IDPH guidelines.
- Massage therapy establishments
 - Establishments must implement social distancing, hygiene, and public health measures consistent with IDPH guidelines.
- Tattoo establishments
 - Establishments must implement social distancing, hygiene, and public health measures consistent with IDPH guidelines
- Campgrounds
 - Establishments must implement social distancing, hygiene, and public health measures consistent with IDPH guidelines
- Libraries
 - Capacity must be limited to 50% of its maximum capacity;
 - Libraries must implement social distancing, hygiene, and public health measures consistent with IDPH guidelines
- Drive-in theaters
 - Vehicles must be parked at least 6 feet apart and other reasonable measures to implement social distancing, hygiene, and public health measures consistent with IDPH guidelines.
- Movie theaters
 - Capacity limited to 50% normal operating capacity to ensure adequate spacing of groups;

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- The theater must ensure at least 6 feet of physical distancing between each group or individual attending alone when seated in the theater;
- Self-serve of food is prohibited;
- Theaters must implement social distancing, hygiene, and public health measures consistent with IDPH guidance and, for any food service, DIA guidance.
- Museums, aquariums, and zoos
 - No occupancy restrictions, but facilities must take reasonable measures to ensure social distancing, hygiene, and public health measures consistent IDPH guidance.
- Swimming pools
 - May open for the limited purpose of lap swimming and conducting swim lessons;
 - No occupancy restrictions, but pools must take reasonable measures to ensure social distancing, hygiene, and public health measures consistent IDPH guidance.
 - Except for the limited purposes of lap swimming and conducting swim lessons, swimming pools and spas, wading pools, water slides, wave pools, spray pads, and bath houses shall continue to be closed.

The previous limitation on door to door sales was permitted to expire effective May 27, 2020.

The previous lifting of restrictions in Chapter 321 for oversize and overweight loads of goods and supplies necessary to respond to the public health disaster are continued until June 25, 2020. The previous lifting of restrictions for hours of service of commercial motor vehicles carrying goods and supplies necessary to respond to the public health disaster are continued until June 25, 2020.

The suspension of driver's license and vehicle registrations expiration is also extended until June 25, 2020.

Weapons permitting expiration is extended, as are the requirements for in-person interactions to obtain a permit, until June 25, 2020.