

**NEW CARLISLE CITY COUNCIL
REGULAR MEETING AGENDA and PACKET**
April 6, 2020 @ 7:00pm

****PLEASE NOTE THAT TONIGHT'S MEETING IS OPEN TO THE PUBLIC BUT ATTENDANCE IS HIGHLY DISCOURAGED DUE TO THE CORONAVIRUS OUTBREAK. THIS MEETING WILL BE ON THE CITY COUNCIL'S YOUTUBE PAGE FOR PUBLIC VIEW****

1. Call to Order: Mayor Mike Lowrey
2. Roll Call: Clerk of Council
3. Invocation:
4. Pledge of Allegiance:
5. Action on Minutes: 03/16/2020 Regular Session
6. Communications:
7. City Manager's Report: Attached
8. Comments from Members of the Public: *Please limit comments to 5 minutes or less
9. Committee Reports: None

10. RESOLUTIONS: (1 - Intro; 1 - Action)

A. Resolution 2020-06R: (Introduction, Public Hearing and Action Tonight)

AMENDING THE RULES OF COUNCIL DURING THE CURRENT NATIONAL STATE OF EMERGENCY

11. ORDINANCES: (2 - Intro; 2 - Action)

A. Ordinance 2020-14E: (Introduction, Public Hearing and Action Tonight)

AN ORDINANCE DECLARING CERTAIN EMERGENCY PROCEDURES NECESSARY FOR THE CONTINUED GOVERNANCE OF THE CITY DURING THE CURRENT NATIONAL STATE OF EMERGENCY AND DECLARING A STATE OF EMERGENCY

B. Ordinance 2020-15E: (Introduction, Public Hearing and Action Tonight)

AN ORDINANCE SUSPENDING CERTAIN SECTIONS OF THE CODIFIED ORDINANCES OF THE CITY OF NEW CARLISLE IN ORDER TO COMPLY WITH EMERGENCY ORDER DDAGW 2020-01D ISSUED BY THE OHIO ENVIRONMENTAL PROTECTION AGENCY (OEPA) AND DECLARING AN EMERGENCY.

12. Other Business: None

13. Executive Session: None

14. Return to Regular Session: N/A

15. Adjournment

Next **Regular Meeting** of the City Council will be determined at tonight's meeting due to the Coronavirus outbreak.

RECORD OF PROCEEDINGS

MINUTES: CITY OF NEW CARLISLE, OHIO

REGULAR MEETING

HELD: Monday, March 16, 2020

1. CALL TO ORDER: MAYOR LOWREY CALLED THE MEETING TO ORDER**2. ROLL CALL:** Bridge calls the roll. Lowrey, Hopkins, Grimm, Nowakowski, Cobb- ABSENT, Eggleston Cook. 6 members present. Staff present: Bridge**3. INVOCATION:****4. PLEDGE OF ALLEGIANCE****5. ACTION ON THE MINUTES:****3/2/20-IPAD WORK SESSION: 1ST NOWAKOWSKI 2ND GRIMM: Accepted 5-0-2 ABSENT: COBB, LOWREY****3/2/20 WORK SESSION: 1ST EGGLESTON 2ND NOWAKOWSKI Accepted 5-0-2 ABSENT COBB, LOWREY****3/2/20 REGULAR SESSION: 1ST GRIMM 2ND HOPKINS ACCEPTED 5-0-2 ABSENT COBB, LOWREY****6. COMMUNICATIONS: Emergency Proclamation****7. CITY MANAGER'S REPORT:**

TO: Mayor, Vice Mayor, City Council, Residents, and Business Owners
FROM: Randy Bridge, City Manager
DATE: March 13, 2020 for March 16, 2020

- Items that should be reported to or discussed with Council are indicated with an asterisk (*) and organized under separate headings.
- Council members may bring any other item up for discussion.

****DUE TO THE CORONAVIRUS, DEPARTMENT HEADS AND OTHER ESSENTIAL STAFF WILL NOT BE IN ATTENDANCE TONIGHT****

*A. FINANCE REPORT - At Meeting

*B. SERVICE REPORT - Attached

*C. FIRE REPORT - Attached

*D. POLICE REPORT - At Meeting

*E. INFORMATIONAL ITEMS

- **Lift Chair at New City Building**
 - Passed inspection
 - Need to order a new hand-held remote. Minimal cost expected.
- **Tecumseh High School Career & Job Fair**
 - Postponed
- **Rotary Presentation**
 - Will be Speaker at Rotary on 03/17/2020
 - Presentation on City Budget and New City Building discussion
- **Coronavirus**
 - Discussion - Impact on City Operations
- **Budget Presentation**
 - Will be submitted to City Council within the next few weeks due to unforeseen events

To: Mr. Bridge, City Manager
 From: Howard Kitko, Service Director
 Date: March 16, 2020
 Subject: Council Update

Public Works Departments:

- Curb areas are marked for OUPS. Weather pending next week, excavation has started.
- Gearing up for minor road repairs and pothole patching.

Water Department:

- Water Treatment Plant Old High Service Pump building rehab is underway. Project includes all new pipe and pipe fittings, valves, heater, dehumidifier and general clean up. Project materials were purchased through the Water capital outlay fund. Project will be completed in house except for the final pipe painting and furnace install.
- Sanitary survey has been completed and we have received the findings from this inspection. We have received some recommendations and violations. The City is already correcting or will have corrective action in place to remedy the violation. More information to come.

2019 Wastewater Plant Influent Building Upgrade:

Project is complete.

2019/2020 Primary #1 Clarifier Project:

Demolition and Installation of new Clarifier in existing Concrete structure. Tentative Construction date will be around March 9, 2020.

2020 Road Project Estimating:

Budgeting and estimating for certain roadway overlays in 2020. We are joining the Clark County Joint paving contract again this year, which will allow us to go further on our dollar.

Traffic Signal Upgrade Project:

Project was awarded to Bansal Construction Co. Construction is to be completed by 8/31/20. Pre-Construction mtg. held today 3/16/2020.

- In the Month of February the New Carlisle Fire Division responded to 76 EMS call in the City and 14 in Elizabeth Township.
- The Division responded to 3 Fire related calls in the City and 2 in Elizabeth Township.
- We had 3 EMS calls answered by mutual aid, either by Pike Township or Bethel Clark, due to medic 52 being on a response.
- We answered 2 mutual aid EMS calls for Pike Township and 2 for Bethel Clark.
- In the Month of February the Division responded to 1 Overdose calls,
- If any of our citizens need smoke alarms please call the station at (937-845-8401) and set up an appointment and we will come out and install it for you.

Steven Trusty
 Fire Chief
 City of New Carlisle

No comments or discussion on CM report.

Discussion on the current COVID-19 virus and how the city will move forward with Council meetings and day to day operations.

-CW Hopkins motions to have 1 Council meeting per month until further notice with a 2nd by Eggleston. Motion Passes 4-1 YES: Cook, Hopkins, Nowakowski, Eggleston NAY: Grimm

8. COMMENTS FROM MEMBERS OF THE PUBLIC: None

9. COMMITTEE REPORTS: Parks and Rec

10. RESOLUTIONS:**RESOLUTION 2020-05R**

A RESOLUTION AMENDING RESOLUTION 19-19R, THE CAPITAL IMPROVEMENT PROGRAM FOR THE CITY OF NEW CARLISLE OHIO, FOR ADDITIONAL CAPITAL PURCHASES

No comments or questions.

1st Nowakowski

2nd Hopkins

Accepted 5-0

11. ORDINANCES:**ORDINANCE 2020-11**

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A PURCHASE AGREEMENT WITH STRYKER FOR A POWER LOAD AND COT SYSTEM

No comments or questions.

1st Nowakowski

2nd Hopkins

Accepted 5-0

ORDINANCE 2020-12

AN ORDINANCE TO ESTABLISH APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF NEW CARLISLE, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2020.

No comments or questions.

1st Eggleston

2nd Grimm

Accepted 5-0

ORDINANCE 2020-13

AN ORDINANCE EMPLOYING A PLANNING DIRECTOR

No comments or questions.

1st Eggleston

2nd Grimm

Accepted 5-0

12. OTHER BUSINESS:

A. CONGRESSMAN WARREN DAVIDSON WILL HOLD MOBILE OFFICE HOURS TBD.

B. Crime Watch TBD.

CW Nowakowski motions to excuse the absence of Mayor Lowrey and CM Cobb with a 2nd by CM Grimm. Accepted 5-0

13. EXECUTIVE SESSION: NONE

14. ADJOURNMENT:

1ST: Nowakowski 2ND Hopkins ACCEPTED 5-0

Mike Lowrey, Mayor City of New Carlisle

Emily Berner, Clerk of Council

City Manager's Report

TO: Mayor, Vice Mayor, City Council, Residents, and Business Owners
FROM: Randy Bridge, City Manager
DATE: April 3, 2020 for April 6, 2020

- Items that should be reported to or discussed with Council are indicated with an asterisk (*) and organized under separate headings.
- Council members may bring any other item up for discussion.

****DUE TO THE CORONAVIRUS, DEPARTMENT HEADS AND OTHER ESSENTIAL STAFF WILL NOT BE IN ATTENDANCE TONIGHT****

*A. FINANCE REPORT - Attached

*B. SERVICE REPORT - Attached

*C. FIRE REPORT - Attached

D. POLICE REPORT - No Report

*E. INFORMATIONAL ITEMS

- **Sanitizing All City Department Buildings**
 - Currently getting a quote
 - Will include Shelter House, Fire Station, Police Sub-Station, City Building.
 - May include Water and Wastewater - dependent upon chemicals used
- **Utility Bill Newsletter**
 - Attached
- **Gov. DeWine's Amended Stay at Home Order, List of Essential Business, & CCCHD Talking Points**
 - Attached
- **City Operations**
 - Essential Personal Only and Remote Options
 - Employees adjusting well
 - Only essential functions of the City are operating
 - Playgrounds Equipment and Skate Park
 - Closed until further notice
 - Foyer at the City Building
 - Please use Night Deposit Box for water bills, permits, and any other document submitted to the City
 - Numerous City forms are available in the foyer including tax forms and permits
 - Please use the "Zoning Permit" for decks, sheds, pole barns, additions, etc...
 - City phone lines, emails, and fax line are fully operational, but all City owned buildings are still closed to the public.
 - Please leave a voicemail if the prompt picks-up. Our voicemails do get sent to us via email.
 - Many City employees are working from home but have access to all appropriate means to continue serving the public
 - Residents and Business Owners
 - Thank you for working with us during these difficult times
 - Water Bill Ordinance Discussion
 - Apply late fee or forego?
 - Other City Operation Talking Points Introduced by the Public or City Council

**COUNCIL FINANCIAL REPORT SUMMARY
FEBRUARY 2020**

FEBRUARY Total Revenue General Fund: \$ 122,019.07

FEBRUARY Total Expenses General Fund: \$ 66,980.50

INCOME TAX
REVENUE –FEBRUARY \$144,855.48

ALL FUNDS	
Year-To-Date Total Revenue Collected:	\$ 734,238.44
Year-To-Date Total Expenses:	\$ 990,406.62

Special Notes:

Updates:

- *The reports that are included this evening are:*
 - Check Report for the month of FEBRUARY
 - Monthly Revenue Report FEBRUARY
 - Monthly Expense Report FEBRUARY
 - CCA Monthly Report FEBRUARY

Respectfully Submitted
Deborah Watson
Finance Director

NET INCOME TAX COLLECTION SUMMARY-2020

CCA - CITY INCOME TAX (INCL REVISIONS, ADJUSTMENTS & OVERHEAD FEES)				
MONTH REVENUE RECEIVED	MONTH COLLECTED FOR	1%	.5%	TOTAL
JANUARY	DECEMBER 2019	91,551.92	45,466.70	137,018.62
FEBRUARY	JANUARY	97,171.31	47,684.17	144,855.48
MARCH	FEBRUARY			0.00
APRIL	MARCH			0.00
MAY	APRIL			0.00
JUNE	MAY			0.00
JULY	JUNE			0.00
AUGUST	JULY			0.00
SEPTEMBER	AUGUST			0.00
OCTOBER	SEPTEMBER			0.00
NOVEMBER	OCTOBER			0.00
DECEMBER	NOVEMBER			0.00
TOTALS		188,723.23	93,150.87	281,874.10

ESTIMATED REVENUE

STATE OF OHIO - MUNICIPAL UTILITY TAX & NET PROFIT TAX (INCL FEES)				
MONTH REVENUE RECEIVED		1%	.5%	TOTAL
JANUARY 2019		0.00	0.00	0.00
FEBRUARY 2019		654.48	327.23	981.71
MARCH 2019				0.00
APRIL 2019				0.00
MAY 2019				0.00
JUNE 2019				0.00
JULY 2019				0.00
AUGUST 2019				0.00
SEPTEMBER 2019				0.00
OCTOBER 2019				0.00
NOVEMBER 2019				0.00
DECEMBER 2019				0.00
TOTALS		654.48	327.23	981.71

MONTHLY TOTAL	97,825.79	48,011.40	145,837.19
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YEAR TO DATE TOTALS	189,377.71	93,478.10	282,855.81
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New Carlisle

Check Report by Check Number

Banks: All
 Payment Method: Checks, ACH, EFT
 Vendors: 00001 to YMCA
 Checks: All

Check Dates: 2/1/2020 to 2/29/2020
 As Of Check Cashed Date: 1/1/1900 to 2/29/2020
 Include Voids: No
 Check Status: Cashed And Outstanding

Check Number	Check Date	Vendor Code	Vendor Name	Check Type	Check Status	Cashed Date	Void Amount	Amount
Bank: Payroll Bank - Payroll Bank								
0000000097	02/06/2020	941 IRS TAXES	EFTPS - IRS	EFT	Outstanding		\$0.00	\$9,827.71
0000000098	02/20/2020	DAYTON	CITY OF DAYTON	EFT	Outstanding		\$0.00	\$271.54
0000000099	02/20/2020	941 IRS TAXES	EFTPS - IRS	EFT	Outstanding		\$0.00	\$9,949.01
0000000100	02/20/2020	OHT	OHIO TREASURER OF STATE	EFT	Outstanding		\$0.00	\$2,914.41
0000000101	02/20/2020	SCHTAX	SCHOOL DISTRICT INCOME TAX	EFT	Outstanding		\$0.00	\$298.08
0000000102	02/20/2020	PERS	Ohio Public Employees Retirement System	EFT	Outstanding		\$0.00	\$17,573.52
0000001266	02/06/2020	AUL	AMERICAN UNITED LIFE INS	Check	Outstanding		\$0.00	\$61.90
0000001267	02/06/2020	01242	HSA Bank	Check	Outstanding		\$0.00	\$550.88
0000001268	02/06/2020	CSPC	OHIO CHILD SUPPORT PAYMENT	Check	Outstanding		\$0.00	\$376.62
0000001269	02/06/2020	PEDC	OHIO PUBLIC EMPLOYEES	Check	Outstanding		\$0.00	\$750.00
0000001270	02/20/2020	AFLAC	AFLAC OF COLUMBUS	Check	Outstanding		\$0.00	\$84.84
0000001271	02/20/2020	UNION	AFSCME OHIO COUNCIL 8 -	Check	Outstanding		\$0.00	\$627.75
0000001272	02/20/2020	ALLSTATE	AMERICAN HERITAGE LIFE INSURANCE	Check	Outstanding		\$0.00	\$186.84
0000001273	02/20/2020	CCA	CCA - DIVISION OF TAXATION	Check	Outstanding		\$0.00	\$1,807.46
0000001274	02/20/2020	HBRTAX	CITY OF HUBER HEIGHTS	Check	Outstanding		\$0.00	\$41.75
0000001275	02/20/2020	DISCR	CITY OF NEW CARLISLE	Check	Outstanding		\$0.00	\$189.00
0000001276	02/20/2020	SPFD	CITY OF SPRINGFIELD	Check	Outstanding		\$0.00	\$76.06
0000001277	02/20/2020	01242	HSA Bank	Check	Outstanding		\$0.00	\$550.88
0000001278	02/20/2020	16145	MEDICAL MUTUAL	Check	Outstanding		\$0.00	\$1,646.58
0000001279	02/20/2020	CSPC	OHIO CHILD SUPPORT PAYMENT	Check	Outstanding		\$0.00	\$376.62
0000001280	02/20/2020	01094	OHIO INSURANCE SERVICES	Check	Outstanding		\$0.00	\$195.10
0000001281	02/20/2020	PEDC	OHIO PUBLIC EMPLOYEES	Check	Outstanding		\$0.00	\$750.00
Payroll Bank - Payroll Bank Total:							\$0.00	\$49,106.55
Bank: 0003 - SNB - GENERAL								
0000002537	02/07/2020	16050	ALLOWAY	Check	Outstanding		\$0.00	\$476.00
0000002538	02/07/2020	16319	AMY FITE	Check	Outstanding		\$0.00	\$15.58
0000002539	02/07/2020	00359	AT&T	Check	Outstanding		\$0.00	\$88.72
0000002540	02/07/2020	1249	AUTO ZONE, INC	Check	Outstanding		\$0.00	\$32.98
0000002541	02/07/2020	00170	CINTAS CORPORATION-LOC 002	Check	Outstanding		\$0.00	\$144.10
0000002542	02/07/2020	00696	CLARK CO.COMBINED HEALTH DIST.	Check	Outstanding		\$0.00	\$188.50
0000002543	02/07/2020	00626	CLARK COUNTY SHERIFF	Check	Outstanding		\$0.00	\$30,889.14
0000002544	02/07/2020	00956	CLARK COUNTY-SPRINGFIELD TCC	Check	Outstanding		\$0.00	\$875.00
0000002545	02/07/2020	00135	COLUMBIA GAS OF OHIO	Check	Outstanding		\$0.00	\$66.30
0000002546	02/07/2020	00637	COX MEDIA GROUP OHIO, INC	Check	Outstanding		\$0.00	\$1,005.10



To: Mr. Bridge, City Manager
From: Howard Kitko, Service Director
Date: April 6, 2020
Subject: Council Update

Public Works Departments:

- Curb Repair; excavation has started, project currently delayed.
- Gearing up for minor road repairs and pothole patching.

Water Department:

- Water Treatment Plant Old High Service Pump building rehab is underway. Project includes all new pipe and pipe fittings, valves, heater, dehumidifier and general clean up. Project materials were purchased through the Water capital outlay fund. Project will be completed in house except for the final pipe painting and furnace install.
- Sanitary Survey; We have received some recommendations and violations. The City already corrected or will have corrective action in place to remedy a particular violation. The one violation of concern is the Adam's Street Water Tower. Response deadline extended to 4/30/2020, to develop an action plan to rehabilitate or remove the tower.

2019/2020 Primary #1 Clarifier Project:

Demolition and Installation of new Clarifier in existing Concrete structure. Construction has started and should be completed by 4/10/2020

2020 Road Project Estimating:

Budgeting and estimating for certain roadway overlays in 2020. We are joining the Clark County Joint paving contract again this year, which will allow us to go further on our dollar.

Traffic Signal Upgrade Project:

Project was awarded to Bansal Construction Co. Construction is to be completed by 8/31/20. Underground drilling for electrical to start within the next couple of weeks.

All departments have put some projects on hold in order to maintain basic department functions with minimal personnel.



City of New Carlisle
City Council Meeting
04-06-2020
Fire-EMS Report

- In the Month of March the New Carlisle Fire Division responded to 87 EMS call in the City an 16 in Elizabeth Township.
- The Division responded to 4 Fire related calls in the City and 1 in Elizabeth Township.
- We had 2 EMS calls answered by mutual aid, either by Pike Township or Bethel Clark, due to medic 52 being on a response.
- We answered 2 mutual aid EMS calls for Pike Township and 2 for Bethel Clark.
- In the Month of March the Division responded to 1 Overdose calls,

Steven Trusty
Fire Chief
City of New Carlisle

New Carlisle Fire Division

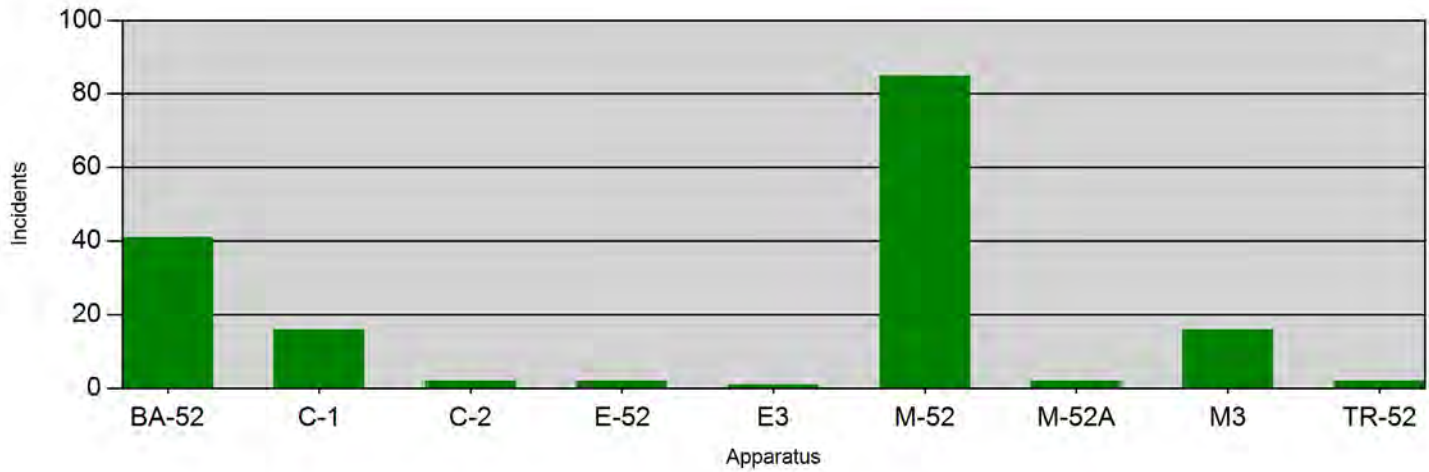
New Carlisle, OH

This report was generated on 4/3/2020 2:00:33 PM



Incident Count per Apparatus for Date Range

Start Date: 03/01/2020 | End Date: 03/31/2020



APPARATUS	# of INCIDENTS
BA-52	41
C-1	16
C-2	2
E-52	2
E3	1
M-52	85
M-52A	2
M3	16
TR-52	2

Cancelled apparatus (per the THIS APPARATUS WAS CANCELLED checkbox on Basic Info 4) not included. Only REVIEWED incidents included.

UTILITY BILL NEWSLETTER



City Introduces New Utility Bills!

Mailed In Secure Envelopes to Ensure Privacy

Randy Bridge, City Manager, is pleased to announce the city has elected to switch the format of the city’s utility bills. The new bills will be mailed in sealed envelopes with a return envelope for payment! Be sure to create a free online profile by clicking the link “Pay Your Water & Sewer Bill Online” at www.newcarlisle.net. The profile will show the current amount due, due date, historical usage, and other useful information We also accept online utility bill payments!

1

FLIP THIS PAGE!

There is more information on the back page!

2

VISIT OUR WEBSITE!

Visit www.newcarlisle.net for forms, contacts, and other information!

3

STAY CONNECTED!

Be sure to “Like” the City of New Carlisle on Facebook for current news & updates!



Parks & Recreation Board

All meetings & events cancelled until further notice.



City Council Meetings

1st Monday monthly. More information to come.



Limb & Brush Pick-Up

May be delayed due to COVID-19. More to come!

City Introduces Quarterly Utility Bill Newsletters

Residents Have Spoken and the City Has Answered!

Every quarter, around the changing of the seasons, a newsletter will be inserted into our utility bills to serve as a one of many sources of information the city provides directly to its citizens and business owners.

Many residents have asked for the City Newsletter to be re-established and the City began looking at the options. We are pleased to announce this new feature and are sure many will appreciate the information.

Please make sure to read the newsletter! Due to the page limitation of the newsletter, the City will be using its webpage (www.newcarlisle.net) and Facebook page (www.facebook.com/cityofnewcarlisleohio/) as the primary source of information for residents and business owners.



Updates on Facebook!

The City of New Carlisle is closely monitoring the coronavirus (COVID-19) outbreak and responding to the request of the State of Ohio and the Clark County Combined Health District.

Please check the city's Facebook page for up to date information regarding the virus and its impact on city operations. The link to the Facebook page is www.facebook.com/cityofnewcarlisleohio/.

Please continue to practice social distancing and following proper sanitation procedures. More information at <https://www.cdc.gov/coronavirus/2019-ncov/index.html>.

IMPORTANT CITY CONTACTS

City Council

Mayor Mike Lowrey (937) 543-8435

Vice Mayor Bill Cook (937) 845-9072

Amy Hopkins (937) 718-3275

Ron Cobb (937) 845-8170

Peggy Eggleston (423) 329-7117

Linda Nowakowski (937) 823-6476

Dale Grimm (937) 284-2715

City Operations

City Building (937) 845-9492

Cemetery (937) 845-3624

Fire Station (937) 845-8401

Sheriff's Substation (937) 845-0419

Clark County Sheriff's (937) 328-2560

Shelter House Reservations (937) 845-9492 ext. 11

www.newcarlisle.net



AMENDED DIRECTOR'S STAY AT HOME ORDER

Re: Amended Director's Order that All Persons Stay at Home Unless Engaged in Essential Work or Activity

I, Amy Acton, MD, MPH, Director of the Ohio Department of Health (ODH), pursuant to the authority granted to me in R.C. 3701.13 to "make special orders...for preventing the spread of contagious or infectious diseases" **Order** the following to prevent the spread of COVID-19 into the State of Ohio:

- 1. Stay at home or place of residence.** With exceptions as outlined below, all individuals currently living within the State of Ohio are ordered to stay at home or at their place of residence except as allowed in this Order. To the extent individuals are using shared or outdoor spaces when outside their residence, they must at all times and as much as reasonably possible, maintain social distancing of at least six feet from any other person, with the exception of family or household members, consistent with the Social Distancing Requirements set forth in this Order. All persons may leave their homes or place of residence only for Essential Activities, Essential Governmental Functions, or to participate in Essential Businesses and Operations, all as defined below.

Individuals experiencing homelessness are exempt from this Order, but are strongly urged to obtain shelter, and governmental and other entities are strongly urged to make such shelter available as soon as possible and to the maximum extent practicable (and to use in their operation COVID-19 risk mitigation practices recommended by the U.S. Centers for Disease Control and Prevention (CDC) and the Ohio Department of Health (ODH)). This order does not apply to incarcerated individuals, they are to follow the guidance of the facility in which they are confined. Individuals whose residences are unsafe or become unsafe, such as victims of domestic violence, are permitted and urged to leave their home and stay at a safe alternative location. For purposes of this Order, homes or residences include hotels, motels, shared rental units, shelters, and similar facilities.

- 2. Non-essential business and operations must cease.** All businesses and operations in the State, except Essential Businesses and Operations as defined below, are required to cease all activities within the State except Minimum Basic Operations, as defined below. For clarity, businesses, including home-based businesses, may also continue operations consisting exclusively of employees or contractors performing activities at their own residences (i.e., working from home) or where the business consists of a single person, so long as all safe workplace safety standards are met.

All Essential Businesses and Operations are encouraged to remain open. Essential Businesses and Operations shall comply with Social Distancing Requirements as defined in this Order, including by maintaining six-foot social distancing for both employees and members of the public at all times, including, but not limited to, when any customers are standing in line.

3. **Prohibited activities.** All public and private gatherings of any number of people occurring outside a single household or living unit are prohibited, except for the limited purposes permitted by this Order. Any gathering of more than ten people is prohibited unless exempted by this Order. This is in accordance with President Trump’s coronavirus guidelines issued March 16, 2020. Nothing in this Order prohibits the gathering of members of a household or residence.

All places of public amusement, whether indoors or outdoors, including, but not limited to, locations with amusement rides, carnivals, amusement parks, water parks, aquariums, zoos, museums, arcades, fairs, children's play centers, playgrounds, funplexes, theme parks, bowling alleys, movie and other theaters, concert and music halls, and country clubs or social clubs shall be closed. Recreational sports tournaments, organized recreational sports leagues, residential and day camps shall be prohibited. Swimming pools, whether public or private, shall be closed, unless it is a swimming pool for a single household. Campgrounds shall be closed, except that persons residing in recreational vehicles (“RVs”) at campgrounds who genuinely have no other viable place of residence may remain in the campground. This campground closure also excludes cabins, mobile homes, or other fixed structure, meant for a single family in situations where no other viable place of residence exists. Such persons should comply with all applicable guidance from the U.S. Centers for Disease Control and Prevention and the Ohio Department of Health regarding social distancing.

4. **Prohibited and permitted travel.** Only Essential Travel and Essential Activities as defined herein, are permitted. People riding on public transit must comply with Social Distancing Requirements to the greatest extent feasible. This Order allows travel into or out of the State to maintain Essential Businesses and Operations and Minimum Basic Operations. However, persons entering the State with the intent to stay are asked to self-quarantine for fourteen days. For purposes of clarity this does not apply to persons who as part of their normal life live in one state and work or gain essential services in another state. Persons who have tested positive for COVID-19, are presumptively diagnosed with COVID-19 or are exhibiting the symptoms identified in the screening guidance available from the U.S. Centers for Disease Control and Prevention and the Ohio Department of Health shall not enter the State, unless they are doing so under medical orders for the purposes of medical care, are being transported by Emergency Medical Services (EMS), are driving or being driven directly to a medical provider for purposes of initial care, or are a permanent resident of the State.

5. **Leaving the home for Essential Activities is permitted.** For purposes of this Order, individuals may leave their residence only to perform any of the following Essential Activities:

- a. **For health and safety.** To engage in activities or perform tasks essential to their health and safety, or to the health and safety of their family or household members or persons who are unable or should not leave their home (including, but not limited to, pets), such as, by way of example only and without limitation, seeking emergency services, obtaining medical supplies or medication, or visiting a health care professional.
- b. **For necessary supplies and services.** To obtain necessary services or supplies for themselves and their family or household members or persons who are unable or should not leave their home, or to deliver those services or supplies to others, such as, by way of example only and without limitation, groceries and food, household consumer products, supplies they need to work from home, automobile and boat supplies (including showrooms, dealers, parts, supplies,

repair, delivery of boats and vehicles, shipping, and maintenance), accessing self-storage facilities, and products necessary to maintain the safety, sanitation, and essential operation of residences.

- c. **For outdoor activity.** To engage in outdoor activity, provided the individuals comply with Social Distancing Requirements, as defined below, such as, by way of example and without limitation, walking, hiking, running, or biking. Individuals may go to public parks and open outdoor recreation areas. However, public access playgrounds may increase spread of COVID-19, and therefore shall be closed.
 - d. **For certain types of work** To perform work providing essential products and services at Essential Businesses or Operations (which, as defined below, includes Healthcare and Public Health Operations, Human Services Operations, Essential Governmental Functions, and Essential Infrastructure) or to otherwise carry out activities specifically permitted in this Order, including Minimum Basic Operations.
 - e. **To take care of others.** To care for a family member, friend, or pet in another household, and to transport family members, friends, or pets as allowed by this Order. This includes attending weddings and funerals.
6. **Elderly people and those who are vulnerable as a result of illness should take additional precautions.** People at high risk of severe illness from COVID-19, including elderly people and those who are sick, are urged to stay in their residence to the extent possible except as necessary to seek medical care. Nothing in this Order prevents the Department Health or local health departments from issuing and enforcing isolation and quarantine orders.
7. **Healthcare and Public Health Operations.** For purposes of this Order, individuals may leave their residence to work for or obtain services through Healthcare and Public Health Operations.

Healthcare and Public Health Operations includes, but is not limited to: hospitals; clinics; dental offices; pharmacies; public health entities, including those that compile, model, analyze and communicate public health information; pharmaceutical, pharmacy, medical device and equipment, and biotechnology companies (including operations, research and development, manufacture, and supply chain); organizations collecting blood, platelets, plasma, and other necessary materials; licensed medical marijuana dispensaries and licensed medical marijuana cultivation centers; obstetricians and gynecologists; eye care centers, including those that sell glasses and contact lenses; home healthcare services providers; mental health and substance use providers; other healthcare facilities and suppliers and providers of any related and/or ancillary healthcare services; and entities that transport and dispose of medical materials and remains.

Specifically included in Healthcare and Public Health Operations are manufacturers, technicians, logistics, and warehouse operators and distributors of medical equipment, personal protective equipment (PPE), medical gases, pharmaceuticals, blood and blood products, vaccines, testing materials, laboratory supplies, cleaning, sanitizing, disinfecting or sterilization supplies, and tissue and paper towel products.

Healthcare and Public Health Operations also includes veterinary care and all healthcare services provided to animals.

Healthcare and Public Health Operations shall be construed broadly to avoid any impacts to the delivery of healthcare, broadly defined. Healthcare and Public Health Operations does not include fitness and exercise gyms, spas, salons, barber shops, tattoo parlors, and similar facilities.

- 8. Human Services Operations.** For purposes of this Order, individuals may leave their residence to work for or obtain services at any Human Services Operations, including any provider funded by the Ohio Department of Aging, Department of Developmental Disabilities, Department of Health, Department of Job and Family Services, Department of Medicaid, Department of Mental Health and Addiction Services, Opportunities for Ohioans with Disabilities, Department of Veterans Services, and Department of Youth Services that is providing services to the public and including state-operated, institutional, or community-based settings providing human services to the public.

Human Services Operations includes, but is not limited to: long-term care facilities; day care centers, day care homes, group day care homes; residential settings and shelters for adults, seniors, children, and/or people with developmental disabilities, intellectual disabilities, substance use disorders, and/or mental illness; transitional facilities; home-based settings to provide services to individuals with physical, intellectual, and/or developmental disabilities, seniors, adults, and children; field offices that provide and help to determine eligibility for basic needs including food, cash assistance, medical coverage, child care, vocational services, rehabilitation services; developmental centers; adoption agencies; businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged individuals, individuals with physical, intellectual, and/or developmental disabilities, or otherwise needy individuals.

Human Services Operations shall be construed broadly to avoid any impacts to the delivery of human services, broadly defined.

- 9. Essential Infrastructure.** For purposes of this, individuals may leave their residence to provide any services or perform any work necessary to offer, provision, operate, maintain and repair Essential Infrastructure.

Essential Infrastructure includes, but is not limited to: food production, distribution, fulfillment centers, storage facilities, marinas, and sale; construction (including, but not limited to, construction required in response to this public health emergency, hospital construction, construction of long-term care facilities, public works construction, school construction, essential business construction, and housing construction); building management and maintenance; airport operations; operation and maintenance of utilities, including water, sewer, and gas; electrical (including power generation, distribution, and production of raw materials); distribution centers; oil and biofuel refining; roads, highways, railroads, and public transportation; ports; cybersecurity operations; flood control; solid waste and recycling collection and removal; and internet, video, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services).

Essential Infrastructure shall be construed broadly to avoid any impacts to essential infrastructure, broadly defined.

10. Essential Governmental Functions. For purposes of this Order, all first responders, emergency management personnel, emergency dispatchers, legislators, judges, court personnel, jurors and grand jurors, law enforcement and corrections personnel, hazardous materials responders, child protection and child welfare personnel, housing and shelter personnel, military, and other governmental employees working for or to support Essential Businesses and Operations are categorically exempt from this Order.

Essential Government Functions means all services provided by the State or any municipality, township, county, political subdivision, board, commission or agency of government and needed to ensure the continuing operation of the government agencies or to provide for or support the health, safety and welfare of the public, and including contractors performing Essential Government Functions. Each government body shall determine its Essential Governmental Functions and identify employees and/or contractors necessary to the performance of those functions.

This Order does not apply to the United States government. Nothing in this Order shall prohibit any individual from performing or accessing Essential Governmental Functions.

11. Businesses covered by this Order. For the purposes of this Order, covered businesses include any for-profit, non-profit, or educational entities, regardless of the nature of the service, the function it performs, or its corporate or entity structure.

12. Essential Businesses and Operations. For the purposes of this Order, Essential Businesses and Operations means Healthcare and Public Health Operations, Human Services Operations, Essential Governmental Functions, and Essential Infrastructure, and the following:

- a. CISA List.** On March 28, 2020, the U.S. Department of Homeland Security, Cybersecurity & Infrastructure Security Agency (CISA), issued an updated *Advisory Memorandum on Identification of Essential Critical Infrastructure Workers During COVID-19 Response*. The definition of Essential Businesses and Operations in this Order includes all the workers identified in that Memorandum or any updated versions of the Memorandum issued by CISA;
- b. Stores that sell groceries and medicine.** Grocery stores, pharmacies, farmers' markets, farm and produce stands, supermarkets, convenience stores, and other establishments engaged in the retail sale of groceries, canned food, dry goods, frozen foods, fresh fruits and vegetables, pet supplies, fresh meats, fish, and poultry, prepared food, alcoholic and non-alcoholic beverages, any other household consumer products (such as cleaning and personal care products), and specifically includes their supply chain and administrative support operations. This includes stores that sell groceries, medicine, including medication not requiring a medical prescription, and also that sell other non-grocery products, and products necessary to maintaining the safety, sanitation, and essential operation of residences and Essential Businesses and Operations. Stores shall determine and enforce the maximum capacity of persons permitted in any store such that at all persons in a store at any one time may safely and comfortably maintain a six-foot distance from each other. Every store shall prominently display at every entrance the maximum capacity number. Every store shall ensure that baskets, shopping carts and the like are properly cleaned between customers. If a line is present either

inside or outside the store, a six-foot distance shall be maintained between those not residing in the same household;

- c. **Food, beverage, and licensed marijuana production and agriculture.** Food and beverage manufacturing, production, processing, and cultivation, including farming, livestock, fishing, baking, and other production agriculture, including cultivation, marketing, production, and distribution of animals and goods for consumption; licensed medical marijuana use, medical marijuana dispensaries and licensed medical marijuana cultivation centers; and businesses that provide food, shelter, and other necessities of life for animals, including animal shelters, rescues, shelters, kennels, and adoption facilities;
- d. **Organizations that provide charitable and social services.** Businesses and religious and secular nonprofit organizations, including food banks, when providing food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals, individuals who need assistance as a result of this emergency, and people with disabilities;
- e. **Religious entities.** Religious facilities, entities and groups and religious gatherings, including weddings and funerals. Wedding receptions are subject to the ten-person limitation in Section 3 of this Order. Weddings and funerals are not subject to the ten-person limitation in Section 3 of this Order;
- f. **Media.** Newspapers, television, radio, and other media services;
- g. **First amendment protected speech;**
- h. **Gas stations and businesses needed for transportation.** Gas stations and auto supply, auto-repair, farm equipment, construction equipment, boat repair, and related facilities and bicycle shops and related facilities;
- i. **Financial and insurance institutions.** Bank, currency exchanges, consumer lenders, including but not limited, to pawnbrokers, consumer installment lenders and sales finance lenders, credit unions, appraisers, title companies, financial markets, trading and futures exchanges, payday lenders, affiliates of financial institutions, entities that issue bonds, related financial institutions, and institutions selling financial products. Also insurance companies, underwriters, agents, brokers, and related insurance claims and agency services;
- j. **Hardware and supply stores.** Hardware stores, garden centers, nurseries, and businesses that sell electrical, plumbing, and heating material;
- k. **Critical trades.** Building and Construction Tradesmen and Tradeswomen, and other trades including but not limited to plumbers, electricians, exterminators, cleaning and janitorial staff for commercial and governmental properties, security staff, operating engineers, HVAC, painting, moving and relocation services, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, Essential Activities, and Essential Businesses and Operations;
- l. **Mail, post, shipping, logistics, delivery, and pick-up services.** Post offices and other businesses that provide shipping and delivery services, and businesses that ship or deliver groceries, food, alcoholic and non-alcoholic beverages, goods, vehicles or services to end users or through commercial channels;

- m. Educational institutions.** Educational institutions-including public and private pre-K-12 schools, colleges, and universities-for purposes of facilitating distance learning, performing critical research, or performing essential functions, provided that social distancing of six-feet per person is maintained to the greatest extent possible. This Order is consistent with and does not amend or supersede prior Orders regarding the closure of schools;
- n. Laundry services.** Laundromats, dry cleaners, industrial laundry services, and laundry service providers;
- o. Restaurants for consumption off-premises.** Restaurants and other facilities that prepare and serve food, but only for consumption off-premises, through such means as in-house delivery, third-party delivery, drive-through, curbside pick-up, and carry-out. Schools and other entities that typically provide food services to students or members of the public may continue to do so under this Order on the condition that the food is provided to students or members of the public on a pick-up and takeaway basis only. Schools and other entities that provide food services under this exemption shall not permit the food to be eaten at the site where it is provided, or at any other gathering site due to the virus's propensity to physically impact surfaces and personal property. This Order is consistent with and does not amend or supersede prior Orders regarding the closure of restaurants;
- p. Supplies to work from home.** Businesses that sell, manufacture, or supply products needed for people to work from home;
- q. Supplies for Essential Businesses and Operations.** Businesses that sell, manufacture, or supply other Essential Businesses and Operations with the support or materials necessary to operate, including computers, audio and video electronics, printing services, household appliances; IT and telecommunication equipment; hardware, paint, flat glass; electrical, plumbing and heating material; sanitary equipment; personal hygiene products; food, food additives, ingredients and components; medical and orthopedic equipment; optics and photography equipment; diagnostics, food and beverages, chemicals, soaps and detergent; and firearm and ammunition suppliers and retailers for purposes of safety and security;
- r. Transportation.** Airlines, taxis, transportation network providers (such as Uber and Lyft), vehicle rental services, paratransit, marinas, docks, boat storage, and other private, public, and commercial transportation and logistics providers necessary for Essential Activities and other purposes expressly authorized in this Order;
- s. Home-based care and services.** Home-based care for adults, seniors, children, and/or people with developmental disabilities, intellectual disabilities, substance use disorders, and/or mental illness, including caregivers such as nannies who may travel to the child's home to provide care, and other in-home services including meal delivery;
- t. Residential facilities and shelters.** Residential facilities and shelters for adults, seniors, children, pets, and/or people with developmental disabilities, intellectual disabilities, substance use disorders, and/or mental illness;
- u. Professional services.** Professional services, such as legal services, accounting services, insurance services, real estate services (including appraisal and title services);

- v. **Manufacture, distribution, and supply chain for critical products and industries.** Manufacturing companies, distributors, and supply chain companies producing and supplying essential products and services in and for industries such as pharmaceutical, technology, biotechnology, healthcare, chemicals and sanitization, waste pickup and disposal, agriculture, food and beverage, transportation, energy, steel and steel products, petroleum and fuel, mining, construction, national defense, communications, as well as products used by other Essential Businesses and Operations;
 - w. **Critical labor union functions.** Labor Union essential activities including the administration of health and welfare funds and personnel checking on the well-being and safety of members providing services in Essential Businesses and Operations - provided that these checks should be done by telephone or remotely where possible;
 - x. **Hotels and motels.** Hotels and motels, to the extent used for lodging and delivery or carry-out food services;
 - y. **Funeral services.** Funeral, mortuary, cremation, burial, cemetery, and related services.
- 13. Minimum Basic Operations.** For the purposes of this Order, Minimum Basic Operations include the following, provided that employees comply with Social Distancing Requirements, to the extent possible, while carrying out such operations:
- a. The minimum necessary activities to maintain the value of the business's inventory, preserve the condition of the business's physical plant and equipment, ensure security, process payroll and employee benefits, or for related functions.
 - b. The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences.
- 14. Essential Travel.** For the purposes of this Order, Essential Travel includes travel for any of the following purposes. Individuals engaged in any Essential Travel must comply with all Social Distancing Requirements as defined in this Section.
- a. Any travel related to the provision of or access to Essential Activities, Essential Governmental Functions, Essential Businesses and Operations, or Minimum Basic Operations.
 - b. Travel to care for elderly, minors, dependents, persons with disabilities, or other vulnerable persons.
 - c. Travel to or from educational institutions for purposes of receiving materials for distance learning, for receiving meals, and any other related services.
 - d. Travel to return to a place of residence from outside the jurisdiction.
 - e. Travel required by law enforcement or court order, including to transport children pursuant to a custody agreement.
 - f. Travel required for non-residents to return to their place of residence outside the State. Individuals are strongly encouraged to verify that their transportation out of the State remains available and functional prior to commencing such travel.

15. Social Distancing Requirements. For purposes of this Order, Social Distancing Requirements includes maintaining at least six-foot social distancing from other individuals, washing hands with soap and water for at least twenty seconds as frequently as possible or using hand sanitizer, covering coughs or sneezes (into the sleeve or elbow, not hands), regularly cleaning high-touch surfaces, and not shaking hands.

a. Required measures. Essential Businesses and Operations and businesses engaged in Minimum Basic Operations must take proactive measures to ensure compliance with Social Distancing Requirements, including where possible:

- i. Designate six-foot distances.** Designating with signage, tape, or by other means six-foot spacing for employees and customers in line to maintain appropriate distance;
- ii. Hand sanitizer and sanitizing products.** Having hand sanitizer and sanitizing products readily available for employees and customers;
- iii. Separate operating hours for vulnerable populations.** Implementing separate operating hours for elderly and vulnerable customers; and
- iv. Online and remote access.** Posting online whether a facility is open and how best to reach the facility and continue services by phone or remotely.

16. Intent of this Order. The intent of this Order is to ensure that the maximum number of people self-isolate in their places of residence to the maximum extent feasible, while enabling essential services to continue, to slow the spread of COVID-19 to the greatest extent possible. When people need to leave their places of residence, whether to perform Essential Activities, or to otherwise facilitate authorized activities necessary for continuity of social and commercial life, they should at all times and as much as reasonably possible comply with Social Distancing Requirements. All provisions of this Order should be interpreted to effectuate this intent.

17. Enforcement. This Order may be enforced by State and local law enforcement to the extent set forth in Ohio law. Specifically, pursuant to R.C. 3701.352 “[n]o person shall violate any rule the director of health or department of health adopts or any order the director or department of health issues under this chapter to prevent a threat to the public caused by a pandemic, epidemic, or bioterrorism event.” R.C. 3701.56 provides that “[b]oards of health of a general or city health district, health authorities and officials, officers of state institutions, police officers, sheriffs, constables, and other officers and employees of the state or any county, city, or township, shall enforce quarantine and isolation orders, and the rules the department of health adopts.” To the extent any public official enforcing this Order has questions regarding what services are prohibited under this Order, the Director of Health hereby delegates to local health departments the authority to answer questions in writing and consistent with this Order, but does not require local health departments to provide advisory opinions to nongovernmental entities.

18. Penalty. A violation of R.C. 3701.352 is guilty of a misdemeanor of the second degree, which can include a fine of not more than \$750 or not more than 90 days in jail, or both.

19. COVID-19 Information and Checklist for Businesses/Employers. Business and employers are to take the following actions:

- a.** Allow as many employees as possible to work from home by implementing policies in areas such as teleworking and video conferencing.

- b. Actively encourage sick employees to stay home until they are free of fever (without the use of medication) for at least 72 hours (three full days) AND symptoms have improved for at least 72 hours AND at least seven days have passed since symptoms first began. Do not require a healthcare provider's note to validate the illness or return to work of employees sick with acute respiratory illness; healthcare provider offices and medical facilities may be extremely busy and not able to provide such documentation in a timely way.
 - c. Ensure that your sick leave policies are up to date, flexible, and non-punitive to allow sick employees to stay home to care for themselves, children, or other family members. Consider encouraging employees to do a self-assessment each day to check if they have any COVID-19 symptoms (fever, cough, or shortness of breath).
 - d. Separate employees who appear to have acute respiratory illness symptoms from other employees and send them home immediately. Restrict their access to the business until they have recovered.
 - e. Reinforce key messages — stay home when sick, use cough and sneeze etiquette, and practice hand hygiene — to all employees, and place posters in areas where they are most likely to be seen. Provide protection supplies such as soap and water, hand sanitizer, tissues, and no-touch disposal receptacles for use by employees.
 - f. Frequently perform enhanced environmental cleaning of commonly touched surfaces, such as workstations, countertops, railings, door handles, and doorknobs. Use the cleaning agents that are usually used in these areas and follow the directions on the label. Provide disposable wipes so that commonly used surfaces can be wiped down by employees before each use.
 - g. Be prepared to change business practices if needed to maintain critical operations (e.g., identify alternative suppliers, prioritize customers, or temporarily suspend some of your operations).
- 20. No limitation on authority.** Nothing in this Order shall, in any way, alter or modify any existing legal authority allowing the State or any local health department from ordering (1) any quarantine or isolation that may require an individual to remain inside a particular residential property or medical facility for a limited period of time, including the duration of this public health emergency, or (2) any closure of a specific location for a limited period of time, including the duration of this public health emergency.
- 21. Savings clause.** If any provision of this Order or its application to any person or circumstance is held invalid by any court of competent jurisdiction, this invalidity does not affect any other provision or application of this Order, which can be given effect without the invalid provision or application. To achieve this purpose, the provisions of this Order are declared to be severable.
- 22. Previous Orders superseded.** This Order supersedes, only to the extent that it conflicts, and amends any previous Order which conflicts with the provisions of this Order.
- 23. Dispute Resolution.** If any local health department issues a determination under Section 17 of this Order that is in conflict with a determination issued by a different local health department, then the conflict may be submitted to the ODH by either of the local health departments or an entity or person subject to the determination. A Dispute Resolution Commission appointed by the Director of Health shall review the conflict and make a determination as to the application of this Order to the conflict. The decision of the Dispute Resolution Commission shall be final.

24. Duration. This Order shall be effective at 11:59 p.m. on April 6, 2020 and remains in full force and effect until 11:59 p.m. on May 1, 2020, unless the Director of the Ohio Department of Health rescinds or modifies this Order at a sooner time and date.

COVID-19 is a respiratory disease that can result in serious illness or death, is caused by the SARS-CoV-2 virus, which is a new strain of coronavirus that had not been previously identified in humans and can easily spread from person to person. The virus is spread between individuals who are in close contact with each other (within about six feet) through respiratory droplets produced when an infected person coughs or sneezes. It may be possible that individuals can get COVID-19 by touching a surface or object that has the virus on it and then touching their own mouth, nose or eyes.

On January 23, 2020, the Ohio Department of Health issued a Director's Journal Entry making COVID-19 a Class A reportable disease in Ohio.

On January 28, 2020, the Ohio Department of Health hosted the first statewide call with local health departments and healthcare providers regarding COVID-19.

On January 30, 2020, the International Health Regulations Emergency Committee of the World Health Organization declared the outbreak of COVID-19 a public health emergency of international concern.

On January 31, 2020, Health and Human Services Secretary, Alex M. Azar II, declared a public health emergency for the United States to aid the nation's healthcare community in responding to COVID-19.

On February 1, 2020, the Ohio Department of Health issued a statewide Health Alert Network to provide local health departments and healthcare providers with updated guidance for COVID-19 and revised Person Under Investigation (PUI) criteria.

On February 3, 2020, the Ohio Department of Health trained over 140 personnel to staff a call center for COVID-19, in the event it was needed.

On February 5, 2020, the Ohio Department of Health began updating and notifying the media of the number of PUIs in Ohio every Tuesday and Thursday.

On February 6, 2020, the Ohio Department of Health updated all agency assistant directors and chiefs of staff on COVID-19 preparedness and status during the Governor's cabinet meeting.

On February 7, 2020, the Ohio Department of Health and the Ohio Emergency Management Agency met to conduct advance planning for COVID-19.

On February 13, 2020, the Ohio Department of Health conducted a Pandemic Tabletop Exercise with State agencies to review responsive actions should there be a pandemic in Ohio.

On February 14, 2020, the Ohio Department of Health held a conference call with health professionals across the state. The purpose of the call was to inform and engage the healthcare community in Ohio. Presentations were provided by the Department of Health, Hamilton County Public Health, and the Ohio State University.

On February 27, 2020, the Ohio Department of Health and the Ohio Emergency Management Agency briefed the directors of State agencies during the Governor's cabinet meeting regarding preparedness and the potential activation of the Emergency Operations Center.

On February 28, 2020, the "Governor DeWine, Health Director Update COVID-19 Prevention and Preparedness Plan" was sent to a broad range of associations representing healthcare, dental, long-term care, K-12 schools, colleges and universities, business, public transit, faith-based organizations, non-profit organizations, and local governments.

On March 2, 2020, the Ohio Department of Health activated a Joint Information Center to coordinate COVID-19 communications.

On March 5, 2020, the Ohio Department of Health hosted the Governor's Summit on COVID-19 Preparedness, a meeting with the Governor, cabinet agency directors, local health department commissioners, and their staff.

On March 6, 2020, the Ohio Department of Health opened a call center to answer questions from the public regarding COVID-19.

On March 9, 2020, testing by the Department of Health confirmed that three (3) patients were positive for COVID-19 in the State of Ohio. This confirms the presence of a potentially dangerous condition which may affect the health, safety and welfare of citizens of Ohio.

On March 9, 2020, the Ohio Emergency Management Agency activated the Emergency Operations Center.

On March 9, 2020, the Governor Declared a State of Emergency in Executive Order 2020-01D.

On March 11, 2020, the head of the World Health Organization declared COVID-19 a pandemic.

On March 11, 2020, testing by the Ohio Department of Health confirmed that one (1) more patient was positive for COVID-19 in the State of Ohio.

On March 11, 2020, the Ohio Departments of Health and Veterans Services issued a Joint Directors' Order to limit access to Ohio nursing homes and similar facilities.

On March 15, 2020, the Ohio Department of Health issued a Director's Order to limit access to Ohio's jails and detention facilities.

On March 15, 2020, the Ohio Department of Health issued a Director's Order to limit the sale of food and beverages, liquor, beer and wine to carry-out and delivery only.

On March 15, 2020, the CDC issued Interim Guidance for mass gatherings or large community events, stating that such events that consist of 50 or more people should be cancelled or postponed.

On March 16, 2020 the Ohio Department of Health issued a Director's Order closing polling locations for the March 17, 2020 primary election.

On March 17, 2020 the Ohio Department of Health issued a Director's Order for the management of non-essential surgeries and procedures throughout Ohio.

On March 17, 2020 the Ohio Department of Health issued an Amended Director's Order to limit and/or prohibit mass gatherings and the closure of venues in the State of Ohio.

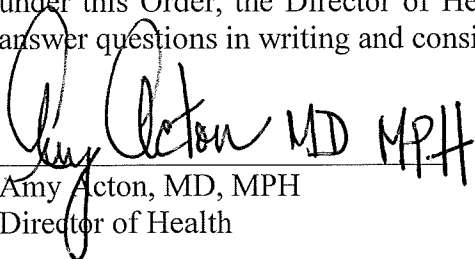
On March 19, 2020, the Ohio Department of Health issued a Director's Order closing hair salons, nail salons, barber shops, tattoo parlors, body piercing locations, and massage therapy locations.

Multiple areas of the United States are experiencing "community spread" of the virus that causes COVID-19. Community spread, defined as the transmission of an illness for which the source is unknown, means that isolation of known areas of infection is no longer enough to control spread.

The CDC reports that people are most contagious when they are most symptomatic (the sickest) however some spread might be possible before people show symptoms although that is not the main way the virus spreads.

Mass gatherings (10 or more persons) increase the risk of community transmission of the virus COVID-19.

Accordingly, to avoid an imminent threat with a high probability of widespread exposure to COVID-19 with a significant risk of substantial harm to a large number of people in the general population, including the elderly and people with weakened immune systems and chronic medical conditions, I hereby **ORDER** all persons are to continue to stay at home or their place of residence unless they are engaged in Essential Activities, Essential Governmental Functions, or to operate Essential Businesses and Operations as set forth in this Order. This Order shall remain in full force and effect until 11:59 p.m. on May 1, 2020, unless the Director of the Ohio Department of Health rescinds or modifies this Order at a sooner time and date. To the extent any public official enforcing this Order has questions regarding what services are prohibited under this Order, the Director of Health hereby delegates to local health departments the authority to answer questions in writing and consistent with this Order.


Amy Acton, MD, MPH
Director of Health

April 2, 2020

Here's the complete list of 'essential businesses,' according to the Governor DeWine's order:

- **Stores that sell groceries and medicine:** Grocery stores, pharmacies, certified farmers' markets, supermarkets and convenience stores.
- **Food, beverage, and licensed marijuana production and agriculture:** Food and beverage manufacturing, production, processing and cultivation, including farming, livestock, fishing, baking and other production agriculture.
- **Organizations that provide charitable and social services:** Business and religious and secular nonprofit organizations, including food banks and providers of social services.
- **Religious entities:** Religious facilities, entities and groups and gatherings, including weddings and funerals.
- **Media:** Newspapers, television, radio and other services.
- **First amendment protected speech**
- **Gas stations and businesses needed for transportation:** That includes auto supply and repair businesses as well as farm equipment, construction equipment, boat repair and bicycle repair.
- **Financial and insurance institutions:** Bank, currency exchanges, consumer lenders, credit unions, title companies, financial markets, payday lenders and pawnbrokers.
- **Hardware and supply stores:** Businesses that sell electrical, plumbing and heating material.
- **Critical trades:** Building and construction and other trades, including plumbers, electricians, exterminators, cleaning and janitorial staff for commercial and government properties, security staff, HVAC, painting moving and relocation services.
- **Mail, post, shipping, logistics, delivery and pick-up services:** This included businesses that deliver groceries, food and alcoholic and non-alcoholic beverages.
- **Educational institutions:** This is consistent with and does not amend to the prior order to close schools.
- **Laundry services:** Laundromats, dry cleaners and industrial laundry services.
- **Restaurants for consumption off-premises**

- **Supplies to work from home:** Businesses that sell or manufacture products needed to work from home.
- **Supplies for essential businesses and operations:** This includes businesses that sell, manufacture or supply a wide range of things – computers, electronics, hardware, sanitary equipment, medical equipment, optics and photography equipment, food and beverages, firearms and ammunition.
- **Transportation:** Airlines, taxis, Uber, Lyft, vehicle rentals and marinas.
- **Home-based care and services:** Care for adults, seniors and children. This included nannies who may travel to the child’s home.
- **Residential facilities and shelters**
- **Professional services:** Legal, accounting, insurance and real estate services.
- **Manufacture, distribution and supply chain for critical products and industries:** The list includes pharmaceuticals, technology, biotechnology, health care, chemicals and sanitation, waste pickup, agriculture. Food and beverage, transportation, steel, petroleum, mining, construction and national defense.
- **Critical labor union functions:** Administration of health and welfare funds and personnel checking on the well-being of members providing services to Essential Businesses and Operations.
- **Hotels and motels**
- **Funeral services**



Public Health
Prevent. Promote. Protect.

Clark County Combined Health District
529 E. Home Road
Springfield, Ohio 45503

Charles Patterson, Health Commissioner

UPDATED April 3, 2020

Public Health Advisory

Public Information Office

Emma Smales

937-390-5600

Guidance for Clark County Employers Regarding COVID-19 Ohio's Updated Stay at Home Order

- Ohio Department of Health Director, Dr. Amy Acton has extended Ohio's Stay at Home Order. The new order is effective at 11:59 p.m. April 6, 2020 and remains in full force and effect until 11:59 p.m. on May 1, 2020.
The full amended order is attached to this advisory.
- The intent of this order is to ensure that the maximum number of people self-isolate in their places of residence to slow the spread of COVID-19 to the greatest extent possible.
- The Order allows all Essential Businesses to remain open. Essential Business and Operations are outlined in the Order.
 - ***New requirements for stores that sell groceries and medicine:*** Stores shall determine and enforce the maximum capacity of persons permitted in any store at any one time to safely and comfortably maintain a six-foot distance from each other. Every store shall prominently display at every entrance the maximum capacity number and ensure all baskets and shopping carts are properly cleaned between customers. If there is a line formed inside or outside the store, six-foot distance must be maintained between those not residing in the same household.
 - ***New Dispute Resolution Commission:*** If any local health department issues a determination under Section 17 of the Order that is in conflict with a determination issues by a different local health department, then the conflict may be submitted to the Ohio Department of Health by either the local health department or the entity or person subject to the determination. The decision of the Dispute Resolution Commission shall be final.
- All other business and operations are required to cease all activities within the State except Minimum Basic Operations.
 - Minimum Basic Operations include the following:
 - The minimum necessary activities to maintain the value of the business's inventory, preserve the condition of the business's physical plant and equipment, ensure security, process payroll and employee benefits, or for related functions.
 - The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences.
 - Business, including home-based businesses may continue operations conducting exclusively of employers or contractors performing activities from their own residences.

- Essential Businesses and Operations and business engaged in Minimum Basic Operations must take protective measures to ensure compliance with Social Distancing Requirements, including where possible:
 - Designate six-foot distances for employees and customers
 - Have hand sanitizer and sanitizing products readily available for employees and customers
 - Separate operating hours for vulnerable populations
 - Online and remote access to continue services by phone or remotely
- Employees who have questions/concerns about being essential businesses and operations should contact their employers.
- Employers with questions regarding the Order can contact the Clark County Combined Health District at 937-390-5600.

In addition to this new guidance, businesses and employers should continue to take the following actions:

- Allow as many employees as possible to work from home
- Actively encourage sick employees to stay home until they are free of fever (without the use of medication) for at least 72 hours AND symptoms have improved for at least 72 hours AND at least seven days have passed since symptoms first began.
- Monitor employees' temperatures before the start of work each day. *Specific guidance on monitoring employee temperatures is attached to this advisory.*
- Ensure that your sick leave policies are up to date, flexible, and non-punitive to allow sick employees to stay home to care for themselves, children, or other family members.
- Separate employees who appear to have acute respiratory illness symptoms from other employees and send them home immediately.
- Frequently perform enhanced environmental cleaning of commonly touched surfaces
- Be prepared to change business practices if needed to maintain critical operations
- Employers should not direct sick employees to urgent cares or any other healthcare facilities to be tested for COVID-19. There are state guidelines that must be followed and only hospitalized, or severely sick people are guaranteed testing. CCCHD is not currently offering testing.

For more specific guidance from the CDC visit: <https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html>

Resolution 2020-06R

AMENDING THE RULES OF COUNCIL DURING THE CURRENT NATIONAL STATE OF EMERGENCY

WHEREAS, in Executive Order 2020-01D, Ohio Governor Mike DeWine declared a state of emergency for the entire State to protect the citizens of Ohio from the dangerous effects of COVID-19 and to assist in protecting the lives, safety, and health of the citizens of Ohio; and

WHEREAS, subsequent to Executive Order 2020-01D, Governor Mike DeWine has initiated other requirements greatly limiting in-person social contact; and

WHEREAS, the President of the United States has declared a national state of emergency due to the COVID-19 pandemic; and

WHEREAS, City Council of the City of New Carlisle has a substantial, legitimate interest in continuing governmental services to the fullest extent necessary throughout the current national and state emergency; and

WHEREAS, holding Council meetings and obtaining City Council approvals are needed for the furtherance of governmental services and functions; and

WHEREAS, on March 27, 2020, Governor Mike DeWine signed into law Am. Sub. H.B. 197, which among other things, amends R.C. § 121.22 (Ohio's Open Meetings Act) to allow attendance by members of local public bodies at public hearings and meetings by teleconference, video conference, or any other similar electronic technology ("Remote Meetings") until the end of the state of emergency or December 1, 2020, whichever occurs first; and

WHEREAS, the amendment to Ohio's Open Meetings Act does not address public participation at public hearings or meetings because that act does not require public bodies to allow such participation; and

WHEREAS, the City Council of the City of New Carlisle believes it is in the best interest of the citizens of New Carlisle for City Council to utilize Remote Meetings for the purpose of transacting necessary City business during the state of emergency, and to physically close meetings to the public but still allow public participation;

WHEREAS, due to certain provisions contained in the Rules of Council regarding public participation, the Rules of Council need to be amended to address public participation at meetings and hearings that are physically closed to the public.

NOW, THEREFORE, THE MUNICIPALITY OF NEW CARLISLE HEREBY RESOLVES:

Section 1.

Until the state of emergency within the State of Ohio under Executive Order 2020-01D ends or December 1, 2020, whichever occurs first, all Rules of Council pertaining to public participation are amended as stated herein.

Section 2.

The City will provide a general email address for the public to use for the purpose of sending questions and/or comments to City Council during the public comment part(s) of any meeting or hearing, which such email address shall serve as the sole means of public participation during any meeting or hearing. City Council will not proceed beyond any public comment part of a meeting or hearing until at least three (3) minutes has elapsed in order to give the public the opportunity to submit questions and/or comments. If no questions or comments are received during the three-minute period at the beginning of any public comment part of a meeting or hearing, or if no questions or comments are received for a three-minute period at any time during the public comment part of a meeting or hearing, then City Council shall move onto the next part of the meeting or hearing agenda. If questions and/or comments from the public are received, then City Council shall spend no more than ten (10) minutes addressing such questions and/or comments before proceeding with the rest of the agenda.

Section 3.

Unless in conflict with the provisions contained herein, all other Rules of Council shall remain in full force and effect.

Section 4.

This Resolution shall go into effect at the earliest time allowable by law.

Passed this _____ day of _____, 2020.

Mike Lowrey, Mayor

Emily Berner, Clerk of Council

APPROVED AS TO FORM:

Jacob M. Jeffries, DIRECTOR OF LAW

1st _____

2cd: _____

Cobb	Y	N
Eggleston	Y	N
Vice Mayor Cook	Y	N
Mayor Lowrey	Y	N
Hopkins	Y	N
Grimm	Y	N
Eggleston-Nowakowski	Y	N

Totals: _____

Pass Fail

Intro: 04/06/2020
Action: 04/06/2020
Effective: 04/21/2020

Ordinance 2020-14E

AN ORDINANCE DECLARING CERTAIN EMERGENCY PROCEDURES NECESSARY FOR THE CONTINUED GOVERNANCE OF THE CITY DURING THE CURRENT NATIONAL STATE OF EMERGENCY AND DECLARING A STATE OF EMERGENCY

WHEREAS, the Constitution of the State of Ohio, in Article XVIII, Section 3, grants municipalities the authority to exercise all powers of local self-government and to enforce local police, sanitary, and other similar regulations not in conflict with the general laws; and

WHEREAS, pursuant to this constitutional home rule authority, the people of the City of New Carlisle, Ohio have adopted a Charter and Codified Ordinances to exercise the powers of local self-government and to enforce local police power regulations; and

WHEREAS, in Executive Order 2020-01D, Ohio Governor Mike DeWine declared a state of emergency for the entire State to protect the citizens of Ohio from the dangerous effects of COVID-19 and to assist in protecting the lives, safety, and health of the citizens of Ohio; and

WHEREAS, subsequent to Executive Order 2020-01D, Governor Mike DeWine has initiated other requirements greatly limiting in-person social contact; and

WHEREAS, the President of the United States has declared a national state of emergency due to the COVID-19 pandemic; and

WHEREAS, City Council of the City of New Carlisle has a substantial, legitimate interest in continuing governmental services to the fullest extent necessary throughout the current national and state emergency; and

WHEREAS, holding Council meetings and obtaining City Council approvals are needed for the furtherance of governmental services and functions; and

WHEREAS, on March 27, 2020, Governor Mike DeWine signed into law Am. Sub. H.B. 197, which among other things, amends R.C. § 121.22 (Ohio's Open Meetings Act) to allow attendance by members of local public bodies at public hearings and meetings by teleconference, video conference, or any other similar electronic technology ("electronic means") until the end of the state of emergency or December 1, 2020, whichever occurs first; and

WHEREAS, the Law Director has agreed, in a legal opinion dated 03/30/2020, that the City has the authority under home rule to allow City Council to conduct its meetings and hearings remotely by utilizing electronic means; and

WHEREAS, the City of New Carlisle has the technology to allow any of its Councilmembers to participate in meetings or hearings by utilizing electronic means that permits all participating Councilmembers to be heard and seen by each other and the public through electronic means and/or live broadcast (the "Remote Meeting"); and

WHEREAS, the City Council of the City of New Carlisle believes it is in the best interest of the citizens of New Carlisle for City Council to utilize Remote Meetings for the purpose of transacting necessary City business during the state of emergency.

NOW, THEREFORE, THE MUNICIPALITY OF NEW CARLISLE HEREBY ORDAINS:

Section 1.

Until the state of emergency within the State of Ohio under Executive Order 2020-01D ends or December 1, 2020, whichever occurs first, the City Council of New Carlisle may conduct its public meetings and hearings without the physical presence of all Councilmembers through the Remote Meeting procedure so long as (1) notice is provided as required by Ohio law for public meetings and hearings; (2) a quorum is present, whether in person or electronically through the Remote Meeting procedure; (3) in the event that a Councilmember appearing via the Remote Meeting procedure is disconnected, the City Council shall cease all discussions and deliberations until the disconnected Councilmember is reconnected; and (4) the public is able to observe all Councilmembers, and hear all their discussions and deliberations.

Section 2.

Except as otherwise stated herein, all other requirements of the Open Meetings Act shall apply, including those governing executive session and the taking of meeting minutes.

Section 3.

Until the state of emergency within the State of Ohio under Executive Order 2020-01D ends or December 1, 2020, whichever occurs first, New Carlisle City Council meetings and hearings are physically closed to the public.

Section 4.

Until the state of emergency within the State of Ohio under Executive Order 2020-01D ends or December 1, 2020, whichever occurs first, the City Council of New Carlisle will conduct Remote Meetings using Zoom or similar videoconferencing software that provides an internet link to the public allowing the public to view council meetings and hearings in real-time. All meetings and hearings will continue to be uploaded to YouTube in a timely manner.

Section 5.

It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were made in an open meeting of this Council and that all deliberations of this Council and of any of its Committees that resulted in such formal action were in meetings open to the public and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 6.

In order to best serve the health, safety, and welfare of the community and in order to comply with various State of Ohio mandates, this ordinance is declared an emergency and will become effective upon passage.

Passed this _____ day of _____, 2020.

Mike Lowrey, Mayor

Emily Berner, Clerk of Council

APPROVED AS TO FORM:

Jacob M. Jeffries, DIRECTOR OF LAW

Intro: 04/06/2020
Action: 04/06/2020
Effective: 04/06/2020

	1st	_____
	2nd:	_____
Cobb	Y	N
Eggleston	Y	N
Vice Mayor Cook	Y	N
Mayor Lowrey	Y	N
Hopkins	Y	N
Grimm	Y	N
Eggleston-Nowakowski	Y	N
Totals:		
	Pass	Fail

Ordinance 2020-15E

AN ORDINANCE SUSPENDING CERTAIN SECTIONS OF THE CODIFIED ORDINANCES OF THE CITY OF NEW CARLISLE IN ORDER TO COMPLY WITH EMERGENCY ORDER DDAGW 2020-01 ISSUED BY THE OHIO ENVIRONMENTAL PROTECTION AGENCY (OEPA) AND DECLARING AN EMERGENCY.

WHEREAS, on March 9, 2020, Governor Mike DeWine issued Executive Order 2020-01D declaring a state of emergency for the entire State of Ohio to protect the well-being of the citizens of Ohio from the dangerous effects of COVID-19 and to coordinate the State response to COVID-19 and to assist in protecting lives, safety, and health of the citizens of Ohio; and

WHEREAS, under Section (8) of H.8. 197, effective March 27, 2020, for purposes of ensuring the supply of safe drinking water to the citizens of this state and pursuant to Section 6109.04 of the Revised Code, during the period of the emergency declared by Executive Order 2020-01D, issued on March 9, 2020, but not beyond December 1, 2020, if the period of the emergency continues beyond that date, the Director of Environmental Protection may issue certain orders regarding public water systems; and

WHEREAS, on March 31, 2020, the Director of the OEPA issued Emergency Order DDAGW 2020-01 that does all of the following during the period of the emergency declared by Executive Order 2020-01D, but not beyond December 1, 2020, if the period of the emergency continues beyond that date:

- a. Requires a public water system to restore service to any customer whose service was disconnected as a result of nonpayment of fees and charges;
- b. Requires a public water system to waive all fees for connection or reconnection to the public water system; and
- c. Prohibits a public water system from disconnecting customers because of nonpayment of fees and charges.

WHEREAS, the City of New Carlisle must obey the orders given by the State of Ohio; and

WHEREAS, Chapter 1040 and Chapter 1042 of the Codified Ordinances of the City of New Carlisle govern Water and Sewer Use Regulations, respectively; and

WHEREAS, a temporary suspension of sections that cover disconnections, reconnections, penalties, and fees must occur in order for the City to be compliant with the Emergency Order issued by the OEPA (attached); and

NOW, THEREFORE, THE MUNICIPALITY OF NEW CARLISLE HEREBY ORDAINS:

Section 1.

Until the state of emergency within the State of Ohio under Executive Order 2020-01D ends or December 1, 2020, whichever occurs first, the City of New Carlisle shall not disconnect customers due to nonpayment of fees and charges.

Section 2.

Until the state of emergency within the State of Ohio under Executive Order 2020-01D ends or December 1, 2020, whichever occurs first, and upon request by a customer whose service was disconnected on or after January 1, 2020 as a result of nonpayment of fees and charges, the City of New Carlisle shall as expeditiously as possible, restore drinking water service to that customer.

Section 3.

Until the state of emergency within the State of Ohio under Executive Order 2020-01D ends or December 1, 2020, whichever occurs first, the City of New Carlisle shall waive all fees for the reconnection of service and provide customers with guidance on procedures to ensure piping and fixtures are appropriately flushed before water is used for potable purposes. For purposes of this paragraph, the phrase "fees for the reconnection of service" refers to actual reconnection costs but is not intended to prevent the City of New Carlisle from sending a monthly bill to the customer based on actual water usage after reconnection.

Section 4.

The City of New Carlisle shall continue to send bills as normal.

Section 5.

Until the state of emergency within the State of Ohio under Executive Order 2020-01D ends or December 1, 2020, whichever occurs first, the City of New Carlisle shall discontinue the ten percent (10%) penalty for payments received after the bill due date.

Section 6.

Until the state of emergency within the State of Ohio under Executive Order 2020-01D ends or December 1, 2020, whichever occurs first, customers shall contact the City of New Carlisle within thirty (30) days in order to make payment arrangements on any past due bill amount. If all payment arrangements available to a customer have been used by that customer for the year, the City of New Carlisle shall allow for one extra payment arrangement due to the state of emergency.

Section 7.

The City of New Carlisle highly encourages customers to pay their bills in a timely manner in order to avoid excessive bill amounts in the future.

Section 8.

It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were made in an open meeting of this Council and that all deliberations of this Council and of any of its Committees that resulted in such formal action were in meetings open to the public and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 9.

In order to best serve the health, safety, and welfare of the community and in order to comply with various State of Ohio mandates, this ordinance is declared an emergency and will become effective upon passage.

Passed this _____ day of _____, 2020.

Mike Lowrey, Mayor

Emily Berner, Clerk of Council

APPROVED AS TO FORM:

Jacob M. Jeffries, DIRECTOR OF LAW

1st _____

2cd: _____

Cobb	Y	N
Eggleston	Y	N
Vice Mayor Cook	Y	N
Mayor Lowrey	Y	N
Hopkins	Y	N
Grimm	Y	N
Eggleston-Nowakowski	Y	N

Totals:		
	Pass	Fail

Intro: 04/06/2020
Action: 04/06/2020
Effective: 04/06/2020

By: Kelly A. Madol Date: _____

3/31/2020

**BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY**

ENTERED DIRECTOR'S JOURNAL

In the Matter of	:	
	:	
	:	Director's Final Findings
Public Water Systems	:	and Orders
Under ORC Chapter 6109	:	
	:	
	:	
	:	
	:	
	:	
	:	
	:	
	:	

I. JURISDICTION

This Order is issued by the Director of Ohio EPA pursuant to the authority under Ohio Revised Code ("ORC") Chapter 6109 and Amended Substitute House Bill 197 (eff. March 27, 2020, hereinafter referred to as "HB 197").

II. PARTIES BOUND

These Orders shall apply to and be binding upon entities that meet the definition of a Public Water System, as that term is defined in Ohio Revised Code Chapter 6109 and the administrative rules promulgated thereunder.

III. DEFINITIONS

Unless otherwise stated, all terms used in these Orders shall have the same meaning as defined in ORC Chapter 6109 and the rules promulgated thereunder.

1. "COVID 19" means a respiratory disease caused by the SARS-CO-V-2 virus.
2. "State of Emergency" means any State of Ohio Governor declared State of Emergency due to COVID-19.

IV. FINDINGS

The Director of the Ohio EPA has determined the following findings:

1. On March 9, 2020, Governor Mike DeWine issued Executive Order 2020-01D declaring a state of emergency for the entire State of Ohio to protect the well-being of the citizens of Ohio from the dangerous effects of COVID-19 and to

coordinate the State response to COVID-19 and to assist in protecting lives, safety, and health of the citizens of Ohio.

2. Under Section (8) of H.B. 197, effective March 27, 2020, for purposes of ensuring the supply of safe drinking water to the citizens of this state and pursuant to section 6109.04 of the Revised Code, during the period of the emergency declared by Executive Order 2020-01D, issued on March 9, 2020, but not beyond December 1, 2020, if the period of the emergency continues beyond that date, the Director of Environmental Protection may issue an order that does any of the following:
 - a. Requires a public water system to restore service to any customer whose service was disconnected as a result of nonpayment of fees and charges;
 - b. Requires a public water system to waive all fees for connection or reconnection to the public water system;
 - c. Prohibits a public water system from disconnecting customers because of nonpayment of fees and charges.
3. Ohio EPA has developed guidance to assist Public Water Systems in compliance with Order No. 2 below, titled *“Implementation Guidance for Ohio Public Water Systems to Comply with Reconnection Requirements Under Ohio H.B. 197”*.
4. Under the current State of Emergency declared by the Governor on March 9, 2020, I have determined that the following Orders are necessary to ensure the protection of public health for the citizens through the supply of safe drinking water by public water systems in the state of Ohio.

V. ORDERS

1. During the State of Emergency regarding COVID-19, a Public Water System shall not disconnect customers due to nonpayment of fees and charges.
2. Upon request by a customer whose service was disconnected on or after January 1, 2020 as a result of nonpayment of fees and charges, a Public Water System shall as expeditiously as possible, restore drinking water service to the customer. The Public Water System shall waive all fees for the reconnection of service and provide customers with guidance on procedures to ensure piping and fixtures are appropriately flushed before water is used for potable purposes. For purposes of this paragraph, the phrase “fees for the reconnection of service” refers to actual reconnection costs but is not intended to prevent a Public Water System from sending a monthly bill to the customer based on actual water usage after reconnection.

3. An order issued under H.B. 197 Section 8(A) is deemed an order issued under Chapter 6109. of the Revised Code. As such, the order may be enforced in the same manner as any other order issued under that chapter.

VI. TERMINATION

This Order is valid during the period of the emergency declared by Executive Order 2020-01D issued on March 9, 2020, but not beyond December 1, 2020, if the period of the emergency continues beyond that date.

VII. RESERVATION OF RIGHTS

Ohio EPA reserves the right to issue more specific Orders to ensure safe drinking water for the citizens of the State of Ohio.

VIII. OTHER APPLICABLE LAWS

All actions required to be taken pursuant to these Orders shall be undertaken in accordance with the requirements of all applicable local, state, and federal laws and regulations. These Orders do not waive or compromise the applicability and enforcement of any other statutes or regulations applicable to a Public Water System.

IX. EFFECTIVE DATE

The effective date of these Orders is the date these Orders are entered into the Ohio EPA Director's journal.

IT IS SO ORDERED:

Ohio Environmental Protection Agency



Laurie A. Stevenson
Director

3/31/20

Date