

May 14, 2020

## Order #1

### COVID-19 Public Health Plan for the City of Milwaukee

Americans with Disabilities Act Notice: Please note: Upon reasonable notice, efforts to reasonably accommodate the needs of disabled individuals that require assistance reviewing or interpreting this Order. For additional information, or to request reasonable accommodations, contact the local health department in your jurisdiction via the contact information provided in that local health department's signature block (i.e. citizens of the City of Milwaukee should contact the City of Milwaukee's Health Department).

In December, 2019, a novel strain of the coronavirus was detected, now named COVID-19, and it has spread throughout the world. COVID-19 was declared a Public Health Emergency of International Concern on January 30, 2020 and was ultimately declared a pandemic on March 11, 2020.

In Wisconsin, Governor Tony Evers declared a public health emergency on March 12, 2020 and directed all agencies to support efforts to respond to and contain COVID-19 in Wisconsin. At a national level, President Donald Trump proclaimed a National Emergency concerning COVID-19 on March 13, 2020.

While we work to slow COVID-19 in the City of Milwaukee, we are guided by the federal *Guidelines for Opening Up America Again* plan and the Wisconsin *Badger Bounce Back Plan* that both provide guidance and metrics that are designed to slowly and cautiously reopen businesses and activities in our communities. The COVID-19 Public Health Plan for the City of Milwaukee is based on the foundations of federal, state of Wisconsin and Milwaukee County guidance to slow the spread of COVID-19 and bring back our economy. The foundation for most public health and executive guidance has been based on "flattening the curve" to ensure healthcare capacity is not severely strained.

The prior Wisconsin Safer at Home Order worked to flatten the curve of infections of COVID-19 in Wisconsin, and Wisconsin saw meaningful gains from this proactive step. Milwaukee County data demonstrated that there was an initial peak of COVID-19 cases in early April 2020, but COVID-19 cases have been trending upward in recent weeks and have surpassed the previous peak. Based upon data related to the spread of COVID-19 in Milwaukee County, individuals living and working in Milwaukee County constitute a high-risk population. With increasing testing capacity, we anticipate increased detection of new COVID-19 cases in the coming weeks that will correspond with identifying significant community transmission. This is a crucial time for Milwaukee County to maintain the momentum in containing COVID-19 in our community and halt further dissemination of the disease.

We know that the fight to contain COVID-19 is dynamic and ultimately is dependent long-term on the widespread availability of a vaccine and/or treatment. When deciding what action is necessary given current law, local health officers within Milwaukee County meticulously considered various criteria including: the rate of spread of COVID-19 in Wisconsin; the health care capacity to meet the needs of the state; the testing, contact tracing, and isolation capacity in the state; the availability of personal protective equipment ("PPE") for healthcare workers, first responders, and other public servants that are required to perform face-to-face services; and the economic needs of Wisconsin and Wisconsinites.

A measured, phased in-approach that utilizes data-driven gating criteria and aligns with federal and state metrics is needed for Milwaukee County. This plan outlines the measures needed now in Milwaukee County based on the above factors. Recognizing that Milwaukee County has made great progress in flattening the curve, we focus on the importance of continuation and resumption of businesses and activities for sectors of our economy that are able to

operate with Physical Distancing and Protective Measure Requirements and Safe Business Practices in place. Moving into Phase A and beyond, the types of businesses and activities that are allowed to resume is expected to expand.

COVID-19 Public Health Plan for the City of Milwaukee. The future phases of the COVID-19 Public Health Plan for the City of Milwaukee will be outlined in documents to be released following the issuance of this Order. Decisions based on the specifics of the progression through the various phases and the specifics of upcoming orders will necessarily remain fluid and will be based on the above factors as well as emerging data and research.

Pursuant to Wis. Stat. § 252.03(1) and (2), the undersigned local health officers from the undersigned municipal health departments in Milwaukee County order the following within their respective jurisdictions:

**1. Definitions.** The following definitions apply to this order.

- a. **Child Care Setting.** "Child Care Setting" means all licensed and certified child care providers caring for any age or ages of children up to 18 years of age.

**Essential Government Functions.** "Essential Government Functions" include all services provided by the State, Tribal, or local governments needed to ensure the continuing operation of the government body and provide and support the health, safety, and welfare of the public. Each government body shall determine its Essential Government Functions, if any, and identify employees and contractors necessary to the performance of those functions.

- b. **Physical Distancing.** For purposes of this order and to the extent possible under applicable laws including but not limited to the Americans with Disabilities Act (ADA), "Physical Distancing" means maintaining physical distancing of six (6) feet between people not residing in a single living unit or household.

- c. **Protective Measure Requirements.** For purposes of this order and to the extent possible under applicable laws including but not limited to the ADA, "Protective Measure Requirements" means:
- i. Washing hands with soap and water for at least 20 seconds as frequently as possible or using hand sanitizer;
  - ii. Covering coughs or sneezes (into the sleeve or elbow, not hands);
  - iii. Regularly cleaning high-touch surfaces;
  - iv. Not shaking hands;
  - v. Use of a mask or cloth face covering. Note: the use of masks or cloth face coverings is strongly recommended but shall not be required due to equity concerns regarding the challenges that either may cause for individuals because of disabilities and/or shortages of PPE;
  - vi. Following all other public health recommendations issued by State of Wisconsin Department of Health Services, Milwaukee County Department of Health & Human Services and the U.S. Centers for Disease Control and Prevention; and
  - vii. Adopting policies to prevent workers from entering the premises if they display respiratory symptoms or have had contact with a person with a confirmed diagnosis of COVID-19.

- d. **Safe Business Practices.** For purposes of this order and to the extent possible under applicable laws including but not limited to the Americans with Disabilities Act, "Safe Business Practices" means:
- i. Establishing, to the extent possible, curbside pick-up to reduce in-store traffic and mitigate outdoor lines;
  - ii. Limiting the number of individuals in a location to either 25% of the total occupancy limits established by the local municipality or five (5) individuals per 1,000 square feet of customer floor space; whichever is larger

- iii. Establishing entry lines outside of the store with markings for patrons to enable them to stand at least six (6) feet apart from one another while waiting to enter a store. Stores are encouraged to also use alternatives to lines, including allowing customers to wait in their vehicles for a text message or phone call and scheduling pick-ups or entries to the store;
- iv. Ensuring one way traffic in shopping aisles;
- v. Increasing standards of facility cleaning and disinfection to limit worker and patron exposure to COVID-19, as well as adopt protocols to clean and disinfect in the event of a positive COVID-19 case in the workplace. All standards and practices must be in line with all applicable Federal and State guidelines including but not limited to guidelines issued by the U.S. Centers for Disease Control and Prevention; and
- vi. Complying with Physical Distancing and Protective Measure Requirements.

**2. Continuation and Resumption of Businesses and Activities.** The following businesses and activities are allowed to continue operations in accordance with the conditions contained herein:

- a. **Essential Government Functions.** Essential government functions may continue to operate at the level determined by each local municipality.
  - i. All employees shall comply with Physical Distancing and Protective Measure Requirements.
  - ii. Government bodies should continue to follow the Wisconsin Department of Justice's Office of Open Government guidance regarding holding government meetings and should consult directly with that office regarding specific open meetings questions.<sup>1</sup> Government bodies with additional questions about open meetings requirements should consult with the Wisconsin Department of Justice's Office of Open Government.
- b. **Healthcare & Public Health Operations.** All healthcare and public health operations may operate provided they do so in line with all applicable Federal and State guidelines including but not limited to guidelines issued by the U.S. Centers for Disease Control and Prevention. Healthcare and Public Health Operations shall be broadly construed to avoid any impediments to the delivery of healthcare services. Such establishments shall prohibit all visitors and shall comply with Protective Measure Requirements.
- c. **Human Service Operations.** All Human Services Operations may operate in the manner set forth herein. All Human Services Operations shall comply with Physical Distancing to the extent possible and Protective Measure Requirements. Human Service Operations includes, but is not limited to: long-term care and assisted living facilities, as long as the facility follows all current DHS Recommendations for Prevention of COVID-19 in Long-Term Facilities and Assisted Living Facilities and all applicable U.S. Centers for Disease Control Recommendations; residential settings and shelters for adults, seniors, children, victims of domestic abuse, people with disabilities, people with substance use disorders, or mental illness; transitional facilities; home-based settings to provide services to individuals with physical, intellectual, or developmental disabilities, seniors, adults, or children; adult day care, adult day services, and supportive home care; field offices that provide and help to determine eligibility for basic needs including food, cash assistance, medical coverage, vocational services, or rehabilitation services; developmental centers; adoption agencies; businesses that provide food, shelter, social services, or other necessities of life for economically disadvantaged individuals, individuals with physical, intellectual, 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.
- d. **Essential Infrastructure.** All Essential Infrastructure may operate in the manner set forth herein. All Essential Infrastructure shall comply with Physical Distancing to the extent possible and Protective

Measure Requirements. Essential Infrastructure includes, but is not limited to: food production, distribution, fulfillment centers, storage facilities, marinas, and sales; construction (including, but not limited to, construction required in response to this public health emergency, hospital construction, construction of long-term care and assisted living facilities, public works construction, school construction, Essential Business and Operations construction, construction necessary for Essential Governmental Functions, and housing construction, except that optional or aesthetic construction should be avoided except as permitted as a Minimum Basic Operation); building management and maintenance; airport operations; operation and maintenance of utilities, including water, sewer, gas, and electric (including power generation, distribution, production of raw materials, and Wisconsin Department of Natural Resources-certified and registered drinking water and wastewater testing laboratories); Wisconsin Home Energy Assistance, Low Income Home Energy Assistance Program, and Public Benefits Energy Assistance Program offices, customer service centers, and public intake centers; 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.

- e. **Stores that sell groceries and medicine.** Grocery stores, bakeries, pharmacies, farm and produce stands, supermarkets, food banks and food pantries, convenience stores, and other establishments engaged in the retail sale of groceries, canned food, dry goods, frozen foods, fresh fruits and vegetables, pet supply, fresh meats, fish, poultry, prepared food, alcoholic and non-alcoholic beverages, and any other household consumer products (such as cleaning and personal care products). Such establishments shall:
  - i. Close all seating intended for consuming food;
  - ii. Cease any self-service operations of salad bars, beverage stations, and buffets;
  - iii. Except for grocery stores, prohibit customers from self-dispensing all unpackaged food; and
  - iv. Abide by Safe Business Practices.

This section should not be interpreted to provide an exemption for businesses engaged in the sale of food or beverage ancillary to their primary purpose, such as those businesses required to close under Section 5 of this order who also may engage in some food or beverage sales.

- f. **Food and beverage production, transport, and agriculture.** Food and beverage manufacturing, production, processing, transportation, and cultivation; farming, livestock, fishing, baking, and other production agriculture, including cultivation, marketing, production, and distribution of animals and goods for consumption; businesses that provide food, shelter, and other necessities of life for animals, including animal shelters, boarding, rescues, kennels, and adopting facilities; farm and agriculture equipment, supplies, and repair services may operate and shall comply with Physical Distancing to the extent possible and Protective Measure Requirements.
- g. **Retail Establishments.** Retail establishments, including indoor shopping malls, may remain open. Such establishments shall abide by Safe Business Practices.
- h. **Restaurants.** Restaurants may remain open only if they remain in compliance with the following:
  - i. Restaurants may remain open for food take-out or delivery service only;
  - ii. Alcohol sales shall comply with Section 2(i) below;
  - iii. Customers may enter the above establishments only for the purpose of ordering, pick-up, and paying for food or beverages or both;
  - iv. No seating may be provided;

- v. Food and drink may not be consumed on premises, either indoors or outdoors;
  - vi. Establishments shall comply with Physical Distancing to the extent possible and Protective Measure Requirements among all individuals on the premises;
  - vii. Restaurants shall cease any self-service operations of salad bars, beverage stations, and buffets; and
  - viii. Customers are prohibited from self-dispensing any unpackaged food or beverage.
- i. **Bars.** This includes breweries, brewpubs, wineries, distilleries, and alcohol beverage retailers. Such establishments may remain open only if they remain in compliance with the following:
- i. Carryout sales of alcohol beverages and food are allowed if permitted by state law and municipal ordinance;
  - ii. Delivery of alcohol beverages to retail customers is prohibited;
  - iii. Wineries holding direct wine shippers' permits may make deliveries of wine in accordance with their permit;
  - iv. Breweries, wineries, and distilleries may continue manufacturing functions with Physical Distancing to the extent possible and Protective Measure Requirements in place;
  - v. Customers may enter the above establishments only for the purpose of ordering, pick up, and paying for food or beverage or both;
  - vi. No seating may be provided;
  - vii. Food and drink may not be consumed on premises, either indoors or outdoors; and
  - viii. Establishments shall comply with Physical Distancing and Protective Measure Requirements among all individuals on the premises other than as set forth in subsection (iv).
- j. **Salons and Spas:** Hair salons, barber shops, nail salons, day spas, electrolysis providers, waxing salons, eyebrow-care establishments, tattoo parlors, body art establishments, and tanning facilities may open with Physical Distancing and Protective Measure Requirements and the following precautions in place:
- i. All workstations shall be at least six (6) feet apart;
  - ii. Only one client per individual providing services to clients is allowed in the business or facility at a time. No individuals should congregate in a common waiting area before or after their appointment;
  - iii. Staff shall wear a mask or cloth face covering while in the business or facility. Clients shall wear a mask or cloth face covering to the extent feasible while in the business or facility;
  - iv. Staff and clients should conduct self-assessment for symptoms before appointment; symptoms may include fever, cough, shortness of breath, sore throat, headache, chills, muscle pain, and new loss of taste or smell.
  - v. Chairs and workstations shall be sanitized after each client per the U.S. Centers for Disease Control and Prevention<sup>ii</sup>; and
  - vi. All appointments shall be scheduled by phone or online. No walk-in clients are allowed.
- k. **Car washes.** Entirely automatic car washes and self-service car washes may open for service and must comply with Physical Distancing and Protective Measure Requirements.
- l. **Aesthetic or optional exterior work.** Aesthetic or optional exterior residential construction and lawn care may resume. All individuals providing services hereunder shall comply with Protective Measure Requirements and shall comply with Physical Distancing to the extent possible.
- m. **Recreation Activities.** Recreation activities in which Physical Distancing and Protective Measure Requirements can be achieved will be allowed with the following restrictions in place:
- i. Team and contact sports and recreation activities are prohibited;

- ii. All reservations and payments for activities must be made online or by phone. No cash payments shall be accepted; and
  - iii. All rental equipment must be sanitized after each use.
  - iv. All individuals shall comply with Physical Distancing and Protective Measure Requirements.
- n. **Outdoor Playground Equipment.** Outdoor playground equipment may be opened and all individuals shall comply with Physical Distancing and Protective Measure Requirements.
- o. **Public beaches.** Public beaches will be open for moving through while walking, running, or biking. All individuals and their pets shall comply with Physical Distancing and Protective Measure Requirements. Swimming as well as team and contact sports on public beaches remain prohibited.
- p. **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 sanitation, waste pickup and disposal, agriculture, food and beverage, transportation, energy, steel and steel products, petroleum and fuel, mining, construction, national defense, communications, and products used by other Essential Governmental Functions shall be allowed to remain open and shall comply with Physical Distancing to the extent possible and Protective Measure Requirements.
- q. **Organizations that Provide Charitable and Social Services.** Businesses and religious and secular nonprofit organizations, including prevocational group supportive employment, food banks and food pantries may be open and must abide by Safe Business Practices.
- r. **Media.** Newspapers, television, radio, and other media services may operate. Such establishments shall abide by Safe Business Practices.
- s. **Gas Stations and Businesses Needed for Transportation.** Gas stations; auto and motorcycle supply, repair and sales; boat supply, repair, and sales; and bicycle supply, repair, and sales may operate. Such establishment shall abide by Safe Business Practices.
- t. **Financial Institutions and Services.** Banks, credit unions, and other depository or lending institutions; licensed financial service providers; insurance services; personnel necessary to perform essential functions at broker dealers and investment advisor offices may operate. Such establishments shall abide by Safe Business Practices.
- u. **Hardware and Supply Stores.** Hardware stores and businesses that sell electrical, plumbing, heating, and construction material may operate. Such businesses shall abide by Safe Business Practices.
- v. **Critical Trades.** Building and Construction Tradesmen and Tradeswomen, and other trades including but not limited to plumbers, electricians, carpenters, laborers, sheet metal, iron workers, masonry, pipe trades, fabricators, finishers, exterminators, pesticide application, cleaning and janitorial staff for commercial and governmental properties, security staff, operating engineers, HVAC, painting, moving and relocation services, forestry and arborists, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and operation of residences, businesses, and Essential Government Functions may operate. All individuals providing services hereunder shall comply with Protective Measure Requirements and shall comply with Physical Distancing to the extent possible.
- w. **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,

beverages, goods or services to end users or through commercial channels may operate. Such establishments shall abide by Safe Business Practices.

- x. **Laundry Services.** Laundromats, dry cleaners, industrial laundry services, and laundry service providers may operate. Such establishments shall abide by Safe Business Practices.
- y. **Supplies to work from home.** Businesses that sell, manufacture, or supply products needed for people to work from home. All individuals providing services hereunder shall comply with Protective Measure Requirements and shall comply with Physical Distancing to the extent possible.
- z. **Transportation.** Airlines, taxis, transportation network providers (such as Uber and Lyft), vehicle rental services, paratransit, and other private, public, and commercial transportation and logistics may operate. All individuals providing services hereunder shall comply with Protective Measure Requirements.
- aa. **Home-based Care and Services.** Home-based care for seniors, adults, children, or people with disabilities, substance use disorders, or mental illness, including caregivers or nannies who may travel to the child's home to provide care, and other in-home services including meal delivery may operate. All individuals providing services hereunder shall comply with Protective Measure Requirements and shall comply with Physical Distancing to the extent possible.
- bb. **Professional Services.** Professional services, such as legal or accounting services, insurance services, real estate services (including appraisal, home inspection, and title services). These services should, to the greatest extent possible, use technology to avoid meeting in person, including virtual meetings, teleconference, and remote work (i.e. work from home). Such establishments shall abide by Safe Business Practices.
- cc. **Critical Labor Union Functions.** Activities include the administration of health and welfare funds and personnel checking on the well-being and safety of members providing services, provided the checks are done by telephone or remotely where possible. Such activities shall abide by Safe Business Practices.
- dd. **Hotels and Motels.** Hotels and motels, except that such establishments shall:
  - i. Abide by Safe Business Practices;
  - ii. Follow all restrictions applicable to businesses falling into subsections 2(e), (g), (h), and (i) where the types of businesses regulated by those subsections are located a hotel or motel;
  - iii. Close swimming pools, hot tubs, and exercise facilities; and
  - iv. Prohibit guests from congregating in lobbies or other common areas, including providing adequate space to maintain six (6) feet of distance between all guests not residing in the same rooms while queuing for front desk services.
- ee. **Child Care Settings.** Child Care Settings will be allowed with the following restrictions:
  - i. Child Care Settings may not operate at more than 25% of the total occupancy limits established by the local municipality present at a time unless otherwise provided for by order of the Wisconsin Department of Health Services or the Department of Children and Families including but not limited to DHS Emergency Order Number 6<sup>iii</sup>;
  - ii. Adults shall practice Physical Distancing to the extent possible and Protective Measure Requirements and follow all other Department of Health Services public health guidance while picking up and dropping off children at the Child Care Setting;
  - iii. Child Care Settings operating under this order shall follow the Department of Children and Families Guidance Order #2, or any order superseding that order<sup>iv</sup>; and

- iv. Child Care Settings shall comply with all other state statutes and administrative rules, as modified by Governor Tony Evers' Emergency Order for Department of Children and Families Administrative Rule Suspension and Emergency Orders issued March 15, 2020, or any order superseding that Order.<sup>v</sup>
- v. Child Care Settings are encouraged to prioritize access to their services as follows
  - 1. Tier 1: employees, independent contractors, and other support staff working in health care.
  - 2. Tier 2: employees, independent contractors, and other staff in vital areas including but not limited to military; long term care; residential care; pharmacies; child care; child welfare; government operations; public safety and critical infrastructure such as sanitation, transportation, utilities, telecommunications; grocery and food services; supply chain operations; and other sectors as determined by the undersigned health officers.
  - 3. Tier 3: all other individuals.
- ff. **Weddings, funerals, and religious entities.** Religious facilities and locations holding public and private gatherings shall be open but shall comply with the restrictions applicable to Gatherings under Section 4.
- gg. **Funeral establishments.** Funeral establishments, as defined in Wis. Stat. § 445.01(6), shall be open but shall comply with the restrictions applicable to Gatherings under Section 4.
- hh. **Residential Cleaning Services.** Residential cleaning service providers shall be allowed to resume providing services to individuals but shall comply with Protective Measure Requirements and Physical Distancing.
- ii. **Other.** All other for-profit and not for profit businesses and activities within Milwaukee County may remain open. Such establishments shall abide by Safe Business Practices.

**4. Gatherings.** For all public and private gatherings, the following COVID-19 mitigation strategies shall be implemented:

- a. Comply with Physical Distancing and Protective Measure Requirements;
- b. Comply with the gathering size limits applicable to organizations serving high-risk individuals as determined by the U.S. Centers for Disease Control and Prevention. At issuance of this Order, this limit is 10 individuals or less.
- c. Prohibit sharing of frequently touched objects to the extent doing so can be done in a manner consistent with the community or individual's traditions and in consultation with local health officials as needed;
- d. Food or beverage offerings must be provided in, pre-packaged boxes or bags for each attendee to avoid possible COVID-19 transmittal from sharing common dishes at a buffet or family-style meal; and
- e. Nothing in this order prohibits the gathering of members of a single household or living unit.

**5. Closures.** All of the following facilities shall be closed except for the purposes and under the conditions expressly stated herein.

- a. **Schools:** Public and private K-12 schools shall remain closed for in-person pupil instruction and extracurricular activities for the remainder of the 2019-2020 school year, which ends on 6/30/2020. Schools may continue to facilitate distance or virtual learning. School buildings and property may continue to be used for



Essential Government Functions and food distribution. Food distribution shall comply with Physical Distancing and Protective Measure Requirements.

- b. **Places of Public Amusement and Activity:** Whether indoors or outdoors, places of public amusement and activity shall remain closed, including but not limited to the following: stadiums, amusement parks, conference centers, carnivals, dance clubs, escape rooms, water parks, licensed public or private swimming pools, splash pads, aquariums, zoos, museums, arcades, fairs, children’s play centers, funplexes, theme parks, bowling alleys, movie and other theaters, concert and concert halls, country clubs other than for the purpose of facilitating activities allowed under 2(k) including golfing or use of driving ranges, social clubs, miniature golf, and gyms and fitness centers.
- c. **Auctions.** All in-person auctions shall be closed. This includes agricultural equipment auctions; animal auctions for competition; consignment sales; antiques and collectibles; art; autos and motorcycles; boats and personal watercraft; cars; coins and currency; collector cars and vintage equipment; government surplus property and seizures; heavy equipment and construction machinery; household goods; industrial and manufacturing equipment; intellectual property; jewelry; off-road and recreational vehicles; restaurant equipment; tools; and trucks, trailers, and transportation-related equipment.
  - i. Auctions may continue as virtual auctions or online auctions.
  - ii. All auction preparations, meetings, inventory review, and consumer preview of goods shall occur virtually.
  - iii. After a virtual or online auction, the auctioneer or auction company may deliver, mail, or provide curb-side pick-up of goods if it can be done by one person in a room or confined space, including a vehicle.
  - iv. Delivery, curb-side pick-up, or parcel services cannot require a signature by the recipient.
- d. **Chartered Fishing Excursions.** Chartered fishing excursion providers shall remain closed.
- e. **Garage Sales, Rummage Sales, and Yard Sales.** Garage sales, rummage sales, and yard sales shall remain closed. Individual person to person sales of items, such as on Facebook Marketplace or Craigslist, can occur but are discouraged. Measures should be taken to avoid using cash in these transactions and electronic means of payment should be used whenever possible. Individuals shall comply with Physical Distancing and Protective Measure Requirements during any such exchange.
- f. **Photographers.** Photography studios shall remain closed except for the following:
  - i. Photographers may photograph outdoors while practicing Physical Distancing and Protective Measure Requirements.
  - ii. Photographers may photograph gatherings that are being held in accordance with Section four (4) of this order. Photographers shall comply with Physical Distancing and Protective Measure Requirements and follow all other public health recommendations issued by the Wisconsin Department of Health Services and U.S. Centers for Disease Control and Prevention.
- g. **Libraries.** Libraries shall remain closed for services except for the following:

- i. Online services and programming; and
- ii. Curb-side pick-up of books and other library materials, if all operations are performed in compliance with Physical Distancing and Protective Measure Requirements to the extent possible. Materials shall be requested online or by phone before pick-up. The library may not require a signature from the patron. The library shall schedule pick-ups and ensure compliance with Physical Distancing and Protective Measure Requirements.
- iii. Food distribution. Food distribution shall comply with Physical Distancing and Protective Measure Requirements.

h. **Institutions of Higher Education.** Public and private higher educational institutions shall remain closed for in-person pupil instruction and for extracurricular activities for the remainder of the 2019-2020 school year. Institutions may continue to facilitate distance or virtual learning and perform critical research and essential functions as determined by the institution. Facilities may continue to be used for Essential Government Functions.

i. **Minimum Basic Operations.** All for-profit and not for profit businesses shall be allowed to operate in order to perform the following minimum basic operations even if otherwise closed under this Section provided they comply with Physical Distancing and Protective Measure Requirements and Safe Business Practices:

- i. Basic functions. 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, including where these functions are outsourced to other entities.
- ii. Facilitating remote work. The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences.
- iii. Delivery and mailings. Minimum Basic Operations may include fulfilling nonessential deliveries, mailing parcels, or receiving parcels. Delivery or parcel services may not require a signature by the recipient.

**6. Long-Term Care Facilities, Congregate Facilities, and Hospitals.** No outside visitors are permitted in long-term care facilities, congregate facilities, or hospitals.

**7. Shared Spaces.** Unless otherwise provided for herein, all individuals present in Milwaukee County using shared or outdoor spaces or any place other than their home or residence shall, to the extent possible, comply with Physical Distancing and subsections (i), (ii), (iv), (v), and (vi) of the Protective Measure Requirements. This requirement shall not apply to individuals experiencing homelessness.

**8. Local Orders.** This order does not preclude any undersigned local health officer from addressing localized outbreaks with a localized order. Such order may include instituting tailored restrictions based on the needs of a particular location or municipality. Municipalities, businesses, and other entities may implement policies that are more restrictive than this order for protection of the public health.

**9. DHS and CDC Guidelines.** All individuals, organizations, government bodies, and any other permitted group of individuals shall, to the extent possible, follow all applicable guidelines that are more restrictive than this order when taking any action permitted under this order.

**10. Enforcement.** This order is enforceable by any local law enforcement officials including county sheriffs or by the local public health officer within the relevant jurisdiction. Violation or obstruction of this order is punishable under Wis. Stat. § 252.25 or any local ordinance in conformity therewith.

**11. Duration.** This order shall become effective at 5/14/2020 @ 3:30 PM. This order shall remain in effect until Gating Criteria are met and maintained and a new order is issued for Phase A of the proposed Local Health Plan for Milwaukee County plan.

**12. Severability.** If any provision of this order or its application to any person or circumstance is held to be invalid, then the remainder of this order, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect. To this end, the provisions of this order are severable.

## MILWAUKEE HEALTH DEPARTMENT



Dr. Sanjib Bhattacharyya, PhD

Laboratory Director

Special Deputy Health Commissioner

Date Signed: 5/14/2020

**Zeidler Municipal Building**

841 N. Broadway, 3<sup>rd</sup> Floor

Milwaukee, WI 53202

**For ADA Requests, contact City of Milwaukee ADA Coordinator, 200 East Wells Street Room 603, Milwaukee, WI 53202, 414-286-3475 or [adacoordinator@milwaukee.gov](mailto:adacoordinator@milwaukee.gov).**

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<sup>i</sup> As of the date of this order the most recent guidance is available at: [https://www.doj.state.wi.us/sites/default/files/news-media/3.20.20\\_OOG\\_Final.pdf](https://www.doj.state.wi.us/sites/default/files/news-media/3.20.20_OOG_Final.pdf)

<sup>ii</sup> As of the date of this order the “Cleaning and Disinfecting Your Facility” guidelines are available at: <https://www.cdc.gov/coronavirus/2019-ncov/community/disinfecting-building-facility.html>

<sup>iii</sup> As of the date of this order, DHS Emergency Order allows Child Care Settings to operate with at least 10 staff and 50 children. [https://evers.wi.gov/Documents/COVID19/DHS%20Order6\\_3.18.2020.pdf](https://evers.wi.gov/Documents/COVID19/DHS%20Order6_3.18.2020.pdf)

<sup>iv</sup> As of the date of this order the most recent guidance is available at: <https://dcf.wisconsin.gov/files/press/2020/DCF-order-2-covid-19.pdf>

<sup>v</sup> As of the date of this order the most recent guidance is available at: <https://dcf.wisconsin.gov/files/press/2020/DCF-rule-waiver-03-15-2020.pdf>

<sup>v</sup> As of the date of this order the most recent guidance is available at: <https://www.cdc.gov/coronavirus/2019-ncov/community/large-events/mass-gatherings-ready-for-covid-19.html>