

“STAY HOME MISSOURI” ORDER

GUIDANCE AND FREQUENTLY ASKED QUESTIONS

To further combat the spread of COVID-19 in Missouri, Governor Parson directed Dr. Randall Williams, Director of Missouri Department of Health and Senior Services, to issue a Stay at Home Order which is effective April 6, 2020.

This Order directs all Missourians to avoid leaving their residences unless necessary and to practice social distancing when they need to travel outside their homes to work, access foods, prescriptions, health care, and other necessities, or to engage in an outdoor activity. This Order does not require all businesses statewide to close or cease operation.

Here are some examples of things you can do under this order:

- Go to grocery, convenience, or warehouse stores
- Go to the pharmacy to pick up medications and other healthcare necessities
- Go to medical appointments (check with your doctor or provider first)
- Go to a restaurant for take-out, delivery, or drive-thru
- Go to a place of worship – just make sure that no more than 10 people are in any single space at one time and keep 6 feet of distance between you and others
- Take a walk, ride your bike, hike, fish, hunt, golf and be in nature for exercise – just keep six feet of distance between you and others
- Receive deliveries from any business which delivers

Individuals shall not do the following things:

- Visit state office buildings that are closed to the public
- Stand closer than 6 feet of distance from others
- Visit loved ones in nursing homes, long term care facilities, and assisted living homes, unless you are providing critical assistance

Do work places that do not qualify as “essential” businesses have to close?

No. Businesses that are not covered by the guidance from the U.S. Department of Homeland Security, Cybersecurity & Infrastructure Security Agency (CISA) discussed in the Order may remain open but must comply with the social gathering and social distance requirements of the Order. This means that no more than 10 individuals can occupy a single space, this includes both employees and customers. Individuals must also maintain at least 6 feet of distance between themselves and others. Employees must also practice good hygiene and sanitation to limit the spread of COVID-19. Businesses are also encouraged to allow individuals, where feasible, to work from home to achieve optimum isolation.

Businesses can seek a waiver of the social gathering requirements from the Director of the Department of Economic Development.

What businesses are “essential” under this Order?

The Order refers businesses to guidance by CISA to assist them in determining whether the work their employees do is considered “essential” during the COVID-19 response period. Some examples include, but are not limited to:

- Healthcare workers and caregivers
- Law enforcement, fire fighters, and first responders
- Government operations
- Mental health and Social Service workers
- Pharmacy employees
- Workers supporting groceries, pharmacies and other retail sales of food and beverage products
- Restaurant carryout and quick-serve food operations and food delivery employees
- Farmworkers
- Electricity and Utility Industry Employees
- Critical Manufacturing Employees (medical supply chains, energy, transportation, food, chemicals)
- Petroleum, Natural and Propane Gas Workers
- Transportation and Logistics Workers
- Communications and Information Technology Employees

Workplaces that qualify as essential under the guidance may remain open. Workers onsite should take all necessary precautions to reduce the transmission of COVID-19, including practicing social distancing except when performance of job duties require otherwise.

Are there restrictions on essential businesses?

Yes. Workplaces that qualify as essential under CISA guidelines and are engaged in retail sales to the public must limit the number of customers in each retail location to the following standards based on the workplace’s fire or building code occupancy:

- For smaller locations (less than 10,000 square feet), they must maintain 25 percent or less of the authorized occupancy;
- For larger locations (10,000 square feet or greater), they must maintain 10 percent or less of the authorized occupancy.

Employees at the workplace and vendors delivering products into the store are not included in this calculation and do not count toward occupancy limitations.

Are grocery stores considered a business “engaged in retail sales to the public”?

Yes, and such store is subject to the occupancy limitations in the Order.

Grocery stores are strongly encouraged to set aside hours, outside of regular store hours, to allow third-party grocery delivery services to provide grocery shopping services for their customers. This will allow individual shoppers to shop during regular store hours, and reduce congestion during such times. This will further allow such services to function in an environment where their services may be in excessive demand.

Shoppers at all retail stores are also encouraged, when possible, to limit the number of people shopping in stores to 1 person per household at any one time. This will better enable all families to access necessary goods in grocery stores, and further reduce the number of individuals necessary to access such goods.

My local jurisdiction does not have a building or fire code. Do the limitations on square footage apply to my retail business?

Yes. If your business is not subject to fire or building code occupancy limitations set by your local jurisdiction, you should calculate your occupancy limits based on the following formula:

For a business with a retail location less than 10,000 square feet:

A. Building Square Feet divided by 30 = Quotient

B. Quotient x .25 = Occupancy Limit

For a business with the retail location of 10,000 square feet or more:

A. Building Square Feet divided by 30 = Quotient

B. Quotient x .10 = Occupancy Limit

Examples:

A 40,000 square foot grocery store would be able to have 133 customers in the store at any one time.

An 8,000 square foot retail store would be able to have 66 customers in the store at any one time.

My local fire or building code occupancy limitation calculation is lower than that allowed for businesses without any fire or building code limits, or is lower than a neighboring jurisdictions fire or building code limitations. Can I apply the same formula for calculating occupancy for my business as those without a code?

Yes. You may use either the calculation set forth above for businesses without a fire or building code occupancy limitation, or the calculation applied to your business based upon your specific local jurisdiction fire and building code occupancy limitation, whichever is greater.

Example:

My 30,000 square foot retail business has a local jurisdiction fire or building occupancy limitation of 700 people. Using the formula allowing only 10% of the local jurisdiction, I would be able to have 70 customers in my store at any one time. For an identical business without a local fire or occupancy limitation, they would be able to have 100 customers in their store at any one time. Under this guidance, you may have up to 100 customers in your store at any one time.

My 6,000 square foot retail business has a local jurisdiction fire or building occupancy limitation of 150 people. Using the formula allowing only 25% of the local jurisdiction, I would be able to have 37 customers in my store at any one time. For an identical business without a local fire or occupancy limitation, they would be able to have 50 customers in their store at any one time. Under this guidance, you may have up to 50 customers in your store at any one time.

Can childcare places continue operations?

Yes. Daycares, child care providers, or schools providing child care for working families can continue operations but should follow the U.S. Centers for Disease Control and Prevention guidance targeted for those operations.

Do restaurants have to close?

No. Restaurants can be open for delivery, drive-thru, or carryout services as long as the other requirements of the Order are being followed and individuals are encouraged to use those options. Restaurants may provide dine-in services, but can only have 10 people or less within the restaurant for dining service and shall maintain at least 6 feet of distance between all individuals that are not family members. The 10 person limitation includes both employees and customers together.

How will this order be enforced?

The State is working with local health authorities to support the order. Local health authorities and law enforcement maintain the same jurisdiction and authority they have always had.

Can my local health authority impose more restrictive requirements?

Yes. This Order establishes the minimum requirements that must be complied with statewide. Local health authorities may enforce more restrictive public health requirements for businesses or individuals.

When is the Stay at Home order going to be lifted?

The Stay at Home order is in place until late evening on Friday April 24, 2020. The Order will be re-evaluated before it expires to make sure it does not need to be restricted or extended.