

## DISTRICT HEALTH DEPARTMENT #10 BREAKS DOWN MDHHS EMERGENCY ORDER

October 9, 2020 – On October 5, the Michigan Department of Health and Human Services (MDHHS) issued an [Emergency Order](#) under the Public Health Code restricting gathering sizes, requiring face coverings in public spaces, and places limitations on bars and other venues.

The order covers the following categories:

- Attendance Limitations at Gatherings
- Face Coverings at Gatherings
- Exceptions to Face Covering Requirements
- Food Service Establishments
- Organized Sports
- Implementation and Enforcement of the Emergency Order

In the Emergency Order, there are **exceptions for Region 6** – Region 6 includes Manistee, Wexford, Missaukee, Roscommon, Benzie, Grand Traverse, Kalkaska, Crawford, Leelanau, Antrim, Otsego, Montmorency, Alpena, Charlevoix, Cheboygan, Presque Isle, and Emmet counties. Below is a breakdown of those exceptions.

### INDOOR GATHERINGS

- **In Region 6**, indoor gatherings of more than 10 and up to 500 people occurring at a non-residential venue are permitted only to the extent that the organizers and venue
  - **with fixed seating**, limit attendance to **up to 25% of seating capacity**.
    - All other regions must limit seating capacity to no more than 20% capacity.
  - **without fixed seating**, limit attendance to **25 persons per 1,000** square feet in each occupied room.
    - All other regions must limit attendance to 20 persons per 1,000 square feet in each occupied room.

### FACE COVERINGS

- **In Region 6**, face coverings (consistent with section 3 of the order) are **required** for indoor gatherings of any kind in businesses, government offices, and other operations. However, face coverings are **recommended** in schools within Region 6.
- In all other regions, face coverings are required for indoor gatherings of any kind in businesses, government offices, schools, and other operations.

All other categories spelled out in the Emergency Order are the same for all regions across the state.

The new Emergency Order is issued under [MCL 333.2253 of the Public Health Code](#), which gives the director of MDHHS this authority. It states: “If the director determines that control of an epidemic is necessary to protect the public health, the director by



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#### COUNTIES SERVED:

Crawford  
Kalkaska  
Lake  
Manistee  
Mason  
Mecosta  
Missaukee  
Newaygo  
Oceana  
Wexford



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emergency order may prohibit the gathering of people for any purpose and may establish procedures to be followed during the epidemic to insure continuation of essential public health services and enforcement of health laws. Emergency procedures shall not be limited to this code.” This authority is not tied to the Executive Orders that were overruled by the Supreme Court. We expect additional guidance in the future.

In addition to the guidance above, we remind the community of the following:

- Employers are still responsible for the health and safety of their employees and customers, and should continue to follow all CDC, MDHHS and MIOSHA guidance.
- County governments should continue using their COVID-19 safety plans. With regard to holding meetings, legislation is currently being considered that would continue to allow virtual meetings. Until a decision is made, consider delaying your meetings or hold them in compliance with the [Open Meetings Act](#).
- Schools should continue to follow their COVID-19 plans and other Michigan Department of Education guidance under [House Bills 5911-5913](#), the Return to Learn plan.

District Health Department #10 wants to be sure that the public understands that basic public health work will continue unchanged. All basic public health operations including contact tracing, quarantines, and food and water sanitation are still required by law and must go on.

Please note that the new guidance issued is referred to as an “Emergency Order” and should not be confused with the "Executive Orders" vacated in a recent Supreme Court ruling. Persons with suggestions and concerns about this order are invited to submit comments via email to [COVID19@michigan.gov](mailto:COVID19@michigan.gov).

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