

## **GUIDANCE REGARDING EO 20-25 (REVISED MASS GATHERINGS)**

**TITLE:** Temporarily prohibiting mass gatherings of more than 10 people to limit the spread of COVID-19 and rescinding Executive Order 20-18

**DATE:** April 17, 2020

**TO:** County Emergency Managers; County Health Administrators

**FROM:** Kansas Division of Emergency Management

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This guidance is offered by the Kansas Division of Emergency Management (KDEM) under the direction of General David A. Weishaar as KDEM chief administrative officer and Adjutant General of the State of Kansas. Kansas law authorizes the Adjutant General, under direction of the Governor, to administer any executive orders issued pursuant to the Governor's authority under the Kansas Emergency Management Act. K.S.A. 48-925(d). This guidance is offered by KDEM at the direction of the Adjutant General and for the benefit of emergency managers, health officers, law enforcement, affected businesses, and individual Kansas citizens.

### **Background:**

Governor Kelly issued Executive Order 20-18 on April 7, 2020, temporarily prohibiting mass gatherings of more than 10 people to limit the spread of COVID-19. The provisions contained in Executive Order 20-18 are necessary to secure the safety and protection of the civilian population through heightened limitations on occupancy of confined or enclosed spaces.

Executive Order 20-25 was issued to update and clarify the requirements contained in Executive Order 20-18. While Executive Order 20-25 retains most of the requirements Executive Order 20-18, it does provide the following updates and clarifications:

### **What Changes are Made from EO 20-18:**

- Hotels and motels continue to be exempt from the mass gatherings requirements so long as any food establishment contained within the hotel or motel follows the requirements of restaurants and bar as outlined in the EO.
- Retail establishments remain exempt so long as customers and employees are adhering to the six-foot distance requirements and customers and employees are performing essential activities and functions as outlined within Executive Order 20-16.

- Libraries are no longer exempt from the requirements of the EO and must now comply with the 10-person limit as well as the six-foot distance requirements.
- This EO clarifies that restaurants and bars may only operate for takeout or delivery services and no dine-in service. No more than 10 customers placing takeout orders may be in the building at a time and must adhere to the six-foot distance requirements.
  - Restaurant and bar employees may exceed the 10-person limitation so long as employees are following proper safety protocols including the six-foot distance requirements.
- This EO clarifies offices are exempt so long as there are no more than 10 individuals in a room and they are at least six feet apart.

**Enforcement:**

Ultimately, enforcement is handled at the local level through the county and local health departments working with local law enforcement. Law enforcement officers enforcing this order should use their discretion and consider the totality of the circumstances as they determine appropriate enforcement action.