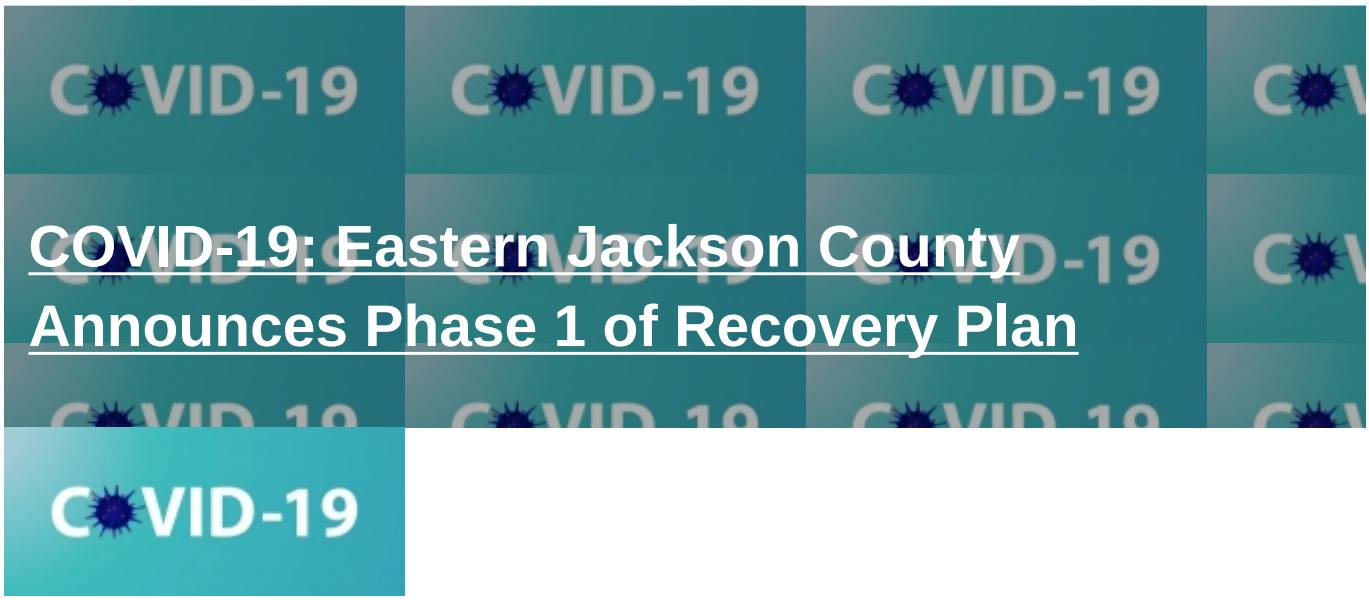


COVID-19: Eastern Jackson County Announces Phase 1 of Recovery Plan

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By **Curry Sexton**

Jackson County, Missouri released **guidelines** for the first phase of its four-phase economy recovery plan (the "Plan") on Wednesday. Phase one is set to begin on Monday, May 11, simultaneous with the launch of similar plans in Kansas City, Kansas and Johnson County, Kansas. The Plan "is focused on protecting the health and safety of residents, while beginning a safe and sensible path to economic recovery for all of Jackson County."

Phase one allows essential businesses to remain open, while certain non-essential businesses, like retail stores, personal service providers, restaurants, and bars selling food, will be allowed to reopen subject to certain restrictions. Entertainment venues and gyms and fitness centers are among those not permitted to reopen.

Retail Stores

Retail stores that reopen as a part of phase one must limit the number of individuals (includes staff and customers) in the building. Retail store locations smaller than 10,000 sq. feet must limit to 25% occupancy based on fire/building code, while locations larger than 10,000 sq. feet must limit to 10% occupancy based on fire/building code.

Personal Services

Personal service businesses, i.e., nail salons, hair salons, massage parlors, etc., can reopen for business by appointment only. These businesses must also limit the number of individuals (includes staff and customers) in the building to 25% occupancy for locations smaller than 10,000 sq. feet and 10% occupancy for locations larger than 10,000 sq. feet.

Restaurants and Bars Selling Food

Restaurants and bars selling food will be allowed to offer dine-in services as a part of phase one, but curbside and pick-up services are encouraged. For those that choose to offer dine-in services, they must limit the number of individuals (includes staff and customers) in the building to 25% occupancy for locations smaller than 10,000 sq. feet and 10% occupancy for locations larger than 10,000 sq. feet.

Other Information

Businesses that remain open or reopen as a part of phase one must maintain social distancing and preventative practices and must have a social distancing protocol in place. As a part of the social distancing protocol requirement, businesses must take the following steps:

1) Select a COVID-19 coordinator for each physical location to lead the implementation of strategies to reduce the spread of COVID-19;
2) Prepare and post a “Social Distancing Protocol” in each of their facilities in the county frequented by the public or employees using the **form** provided by the county; and
3) Print and post public safety signs at specified business entrances, one for **customers** and one for **employees.**

Seniors and vulnerable populations are encouraged to stay at home. Working from home, if possible, continues to be encouraged. All residents are encouraged to wear masks in public. Gathering, i.e., funerals, weddings, and church services, continue to be limited to no more than 10 people. However drive-in services are allowed to the extent proper social distancing is maintained.

A shift to the next phase of the recovery plan will be considered with observable progress on four criteria:

1) The number of new cases has declined for at least 14 days;
2) Rapid diagnostic testing capacity is sufficient to test, at a minimum, all people with COVID-19 symptoms, as well as close contacts and those in essential roles;
3) The healthcare system is able to safely care for all patients, including having appropriate personal protective equipment for healthcare workers; and
4) There is sufficient public health capacity to conduct contact tracing for all new cases and their close contacts.

A shift to phase one of the recovery plan set to go into effect May 11 was warranted by sufficient progress on the aforementioned criteria. Each phase will last at least 14 days, so the earliest we could see a shift to phase two would be May 25. Phases two and three will further relax restrictions on businesses and activities as fewer mitigation strategies are necessary. Phase four will mark a return to normalcy and will only begin when a vaccine or advanced therapeutic is available to the general public. Please note, this recovery plan is independent of the Kansas City, Missouri phased reopening plan set forth by Mayor Quinton Lucas. Read our article about that plan and the 10/10/10 rule here.

This article is general in nature and does not constitute legal advice. Please note that new guidance is being provided by authorities on a near daily basis, so please monitor new developments and guidance and check in with your Seigfreid Bingham attorney contact with any questions regarding new developments. Readers with legal questions about this article should consult the author, Curry Sexton (csexton@sb-kc.com), or your regular contact at Seigfreid Bingham at 816-421-4460. For more information and updates, visit our COVID-19 Resources page.