

## Ohio Governor Extends Stay at Home Order

By Sherri Warner

Governor Mike DeWine announced that Dr. Amy Acton, Director of Health was amending the Stay at Home Order issued on March 22<sup>nd</sup> extending it until 11:59 pm, Friday, May 1<sup>st</sup>. The amended order attempts to address questions that have arisen from the original order and adds some additional requirements that essential businesses must follow.

The Order clarifies that any person working from home can continue to work from home regardless of whether their business is an essential business so long as safe workplace standards are met. To address confusion that has arisen with local health departments interpreting the order in different ways the state has established a Dispute Resolution Committee. The committee is made up of Sherri Maxfield, Director of the Department of Commerce, Lydia Mihalik, Director of the Developmental Services Agency and Sam Randazzo, Chairman of the Public Utilities Commission. Issues can be brought to the committee either by a local health district or an individual impacted by a decision. The decision of the committee is final.

The definition of Essential Businesses remains largely the same with some additional examples provided. The Order incorporates the CISA List released by the US Department of Homeland Security which was amended on March 28<sup>th</sup> to include additional industries.

Commercial entities, such as stores, who have the public entering a building will now have to determine how many individuals can safely be inside at any one time and take steps to ensure that no more than that number are in the store. The maximum capacity for the store must be prominently displayed at every entrance for the public to see. Individuals in the store, or waiting to enter the store, must abide by social distancing requirements. After each use the store must ensure that baskets, shopping carts or motorized assistance is properly cleaned.

During the update today, the Governor announced that this order does not prohibit weddings or funerals. However, gatherings that occur after the ceremony, such as a reception, are not exempt and must have fewer than 10 people in attendance.

The amended order includes an enforcement provision found in paragraph 17. Enforcement will be done according to ORC 3701.352 and ORC 3701.56. Those in violation of ORC 3701.352 are guilty of a second-degree misdemeanor which can include a fine of not more than \$750.00, or not more than 90 days in jail, or both.

Governor DeWine also provided additional updates during his Wednesday, April 1 press conference:

**FEMA Declaration** - President Trump approved Ohio's Major Disaster Declaration which will make federal money available for State, eligible local governments and certain private nonprofits to cover costs associated with COVID-19. It will also provide aid to individuals, including additional unemployment assistance. Assistance to local governments may include federal financial help for emergency protective measures, buildings and equipment and hazard mitigation. Information on how local governments and nonprofits will be able to access this assistance will be coming over the next several days. Regarding the state, the declaration could provide upwards of 75% of the costs for things like the costs associated with the emergency operations

center, state agency purchases directly attributable to fighting the pandemic, disinfecting certain buildings, purchasing PPEs and building temporary medical facilities. We will share information as it becomes available on what the money can be used for and how to access the funds.

**Testing Order** - Dr. Amy Acton has issued an order requiring all facilities testing for COVID-19 contract with an approved hospital system or laboratory to complete the test. A complete list of facilities is located at [www.coronavirus.ohio.gov](http://www.coronavirus.ohio.gov). The order prohibits the use of third-party labs who are currently taking 4-6 days to return results. Once all the labs have reached testing capacity then facilities may use private labs to complete testing.

**Foreclosure Request** - The Governor signed Executive Order 2020-08D today regarding commercial evictions and foreclosures. Read Roetzel's Real Estate alert on the subject [here](#).

**Ohio Manufacturing Alliance** - The state with private partners has created the "Ohio Manufacturing Alliance" which is working with manufacturers who can produce items that the Governor and Director Acton have deemed critical, including gowns, gloves, face masks, ventilator tubing, coveralls, N95 masks, thermometers and foot coverings. Any entity that can currently provide these items or can be repurposed to provide these items is being asked to contact the Alliance at [www.repurposingproject.com](http://www.repurposingproject.com)

Governor DeWine has signaled that there will be additional Executive Orders issued in the next day or two which will address further measures necessary to stem the rise in COVID-19 cases. We will continue to provide information as it becomes available.

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